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COUNTY COUNSEL

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June 25, 2019

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DEPUTY COUNTY COUNSEL

**VIA EMAIL AND U.S. MAIL**

Samuel Sinyangwe  
MuckRock News  
DEPT MR 74725  
411A Highland Ave  
Somerville, MA 02144-2516  
[74725-29759842@requests.muckrock.com](mailto:74725-29759842@requests.muckrock.com)

Re: Public Records Act Request

Dear Mr. Sinyangwe:

Attached are the General Order sections you requested, with the following qualifications:

- (1) 6.002G does not exist.
- (2) 6.002K has been rescinded and is therefore no longer in use by the Sheriff's Office. It is therefore not being provided.
- (3) 6.006 contains highly confidential and sensitive information regarding Solano County law enforcement agencies' response to a felony crime that has just occurred, or to persons or incidents representing an immediate hazard to the public. It is therefore being withheld pursuant to Government Code section 6255 and Evidence Code section 1040.

It is also important to note that simply because a General Order is on the books, does not mean it is currently in use. The Sheriff's Office frequently updates them.

Please let me know if you should have any questions.

Thank you,

Sincerely,

Bernadette Curry,  
County Counsel

By: 

DANIEL M. WOLK, Deputy

Encl.  
CC: Sheriff's Office

**Del Valle, Elvira N.**

---

**From:** Del Valle, Elvira N.  
**Sent:** Tuesday, June 25, 2019 4:56 PM  
**To:** 74725-29759842@requests.muckrock.com  
**Cc:** Wolk, Daniel M.; Elbert, Bill; Nichelini, Robert W.; Glover, Kimberley G.; Bingaman, Katrina L.; Anderson, Laura  
**Subject:** FW: California Public Records Act Request: Sheriff's Use of Force/Complaints Data (Solano County Sheriff)  
**Attachments:** ltr.PRA Request-Sheriffs Use of Force 06.25.19.pdf; General Order Sections.pdf

Good afternoon Mr. Samuel Sinyangwe,

Please find the following attachments in regards to the above referenced request; a response letter from Deputy County Counsel Daniel M. Wolk along with the General Order Sections.

The following attachments have also been placed to be sent today via U.S. Mail.

Very truly yours,

Elvira N. Del Valle | Legal Procedures Clerk  
Solano County Counsel's Office  
675 Texas Street, Suite 6600 | Fairfield CA 94533  
*Direct: (707) 784-3019 | (707) 784-6862 | email: [endelvalle@solanocounty.com](mailto:endelvalle@solanocounty.com)*

**From:** 74725-29759842@requests.muckrock.com [mailto:74725-29759842@requests.muckrock.com]  
**Sent:** Tuesday, June 11, 2019 12:58 PM  
**To:** Wolk, Daniel M. <[DMWolk@SolanoCounty.com](mailto:DMWolk@SolanoCounty.com)>  
**Cc:** Nichelini, Robert W. <[RWNichelini@SolanoCounty.com](mailto:RWNichelini@SolanoCounty.com)>; Glover, Kimberley G. <[KGGlover@SolanoCounty.com](mailto:KGGlover@SolanoCounty.com)>; Bingaman, Katrina L. <[KLBingaman@SolanoCounty.com](mailto:KLBingaman@SolanoCounty.com)>; Anderson, Laura <[MLAnderson@SolanoCounty.com](mailto:MLAnderson@SolanoCounty.com)>  
**Subject:** RE: California Public Records Act Request: Sheriff's Use of Force/Complaints Data (Solano County Sheriff)

Solano County Sheriff  
PRA Office  
Suite 100  
530 Union Avenue,  
Fairfield, CA 94533

June 11, 2019

This is a follow up to a previous request:

Hi, thanks for sending this info.

- Regarding the Use of Force report; my request specified that I wanted these numbers separated by year so there would be a report for 2013, one for 2014, etc. through 2018.
- Regarding the policy manual, please send the following sections from the General Orders:  
6.002 Use of Force

6.002A Defensive Tactics Team  
6.002B Impact Weapons  
6.002C Chemical Agents  
6.002D Carotid Restraint Hold  
6.002E The Wrap Restraint Device  
6.002F Use of Electronic Control Devices (Taser)  
6.002G (Available)  
6.002H Pepperball System  
6.002I FN303 Less Lethal Launcher  
6.002J Ultron Electronic Power Shield  
6.002K \*Rescinded\*  
6.003 Display and Discharge of Firearms  
6.004 Legal Operation of Emergency Vehicles  
6.005 Pursuit Guidelines  
6.006 Code 666  
6.007 Officer Involved Fatal Incident Protocol (OIF)  
7.010 Alternatives to Custody Program

Thank you!

Sam

Filed via MuckRock.com

E-mail (Preferred): [74725-29759842@requests.muckrock.com](mailto:74725-29759842@requests.muckrock.com)

Upload documents directly:

[https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency\\_login%252Fsolano-county-sheriff-11158%252Fsheriffs-use-of-forcecomplaints-data-solano-county-sheriff-74725%252F%253Femail%253DDMWolk%252540solanocounty.com&url\\_auth\\_token=AAA2tKRvXxV4Rw5AySrU41EqvdQ%3A1hamuQ%3AQ4fcSAXIraTqEUq2cyFBn6K8nPk](https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsolano-county-sheriff-11158%252Fsheriffs-use-of-forcecomplaints-data-solano-county-sheriff-74725%252F%253Femail%253DDMWolk%252540solanocounty.com&url_auth_token=AAA2tKRvXxV4Rw5AySrU41EqvdQ%3A1hamuQ%3AQ4fcSAXIraTqEUq2cyFBn6K8nPk)

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For mailed responses, please address (see note):

MuckRock News  
DEPT MR 74725  
411A Highland Ave  
Somerville, MA 02144-2516

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On June 11, 2019:

Dear Mr. Sinyangwe:

This office represents the Solano County Sheriff's Office. We are responding to your request under the Public Records Act (PRA), forwarded below.

In response to your Request Nos. 1-4, please see the attached PDF file. As you know, a public agency is not required to create any record as part of its response to PRA requests. (Gov. Code § 6252(e); see, also, Haynie v. Superior Court (2001) 26 Cal.4th 1061, 1075.)

In response to your Request No. 5, this request is overly broad. A PRA request must be focused and specific and must reasonably describe an identifiable record or records. (Rogers v. Superior Court (1993) 19 Cal.App.4th 469, 481; Gov. Code § 6253(b).) The Sheriff's Office has a substantial number of records that could be construed as being part of a "policy manual". We therefore ask that you provide clarifying information as to which policies you are seeking, in order to make a more focused request. To that end, we are including the index of our General Orders so that you might let us know which, if any, you are interested in obtaining. (See Gov. Code § 6253.1.)

In response to your Request No. 6, we direct you to the following County website where all County MOUs may be found: <http://www.solanocounty.com/depts/hr/elr/mous.asp><<https://gcc01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.solanocounty.com%2Fdepts%2Fhr%2Felr%2Fmous.asp&data=02%7C01%7C%7C64dfb315d603485ed7e808d6ee8a97cc%7C5e7f20ace5f14f838c3bce44b8486421%7C0%7C0%7C636958676345545886&sdata=RxlHgrpePuyz1j6NJ4PpBknLRkh5gZhl6iBfNuQCZRA%3D&reserved=0>>. (See Gov. Code § 6253(f).)

Please let me know if you should have any questions.

Sincerely,

Daniel M. Wolk  
Deputy County Counsel  
Solano County  
675 Texas Street, Suite 6600  
Fairfield, CA 94533  
Phone: 707-784-6140  
Fax: 707-784-6862

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On June 3, 2019:

To Whom It May Concern:

Pursuant to the California Public Records Act, I hereby request the following records:

1. The total number of sheriff's deputy use of force incidents, broken down by type of force used, between 2013-2018 (separated by year).
2. The total number of people that deputies used force against, between 2013-2018 (separated by year).
3. The total number of use of force complaints reported between 2013-2018 (separated by year).
4. The total number of use of force complaints sustained between 2013-2018 (separated by year).
5. The policy manual of the sheriff's department.
6. The current union contract between the city and any sheriff's deputy/police officer unions.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 calendar days, as the statute requires.

Sincerely,

Samuel Sinyangwe

Filed via MuckRock.com

E-mail (Preferred): [74725-29759842@requests.muckrock.com](mailto:74725-29759842@requests.muckrock.com)

Upload documents directly:

[https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency\\_login%252Fsolano-county-sheriff-11158%252Fsheriffs-use-of-forcecomplaints-data-solano-county-sheriff-74725%252F%253Femail%253DDMWolk%252540solanocounty.com&url\\_auth\\_token=AAA2tKRvXxV4Rw5AySrU41EqvQ%3A1hamuQ%3AQ4fcSAXIraTqEUq2cyFBn6K8nP](https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fsolano-county-sheriff-11158%252Fsheriffs-use-of-forcecomplaints-data-solano-county-sheriff-74725%252F%253Femail%253DDMWolk%252540solanocounty.com&url_auth_token=AAA2tKRvXxV4Rw5AySrU41EqvQ%3A1hamuQ%3AQ4fcSAXIraTqEUq2cyFBn6K8nP)

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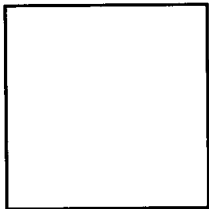
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## **SOLANO COUNTY SHERIFF'S OFFICE**

**GENERAL ORDER # 6.002**

**SUBJECT: USE OF FORCE**

**DATE ISSUED November 17, 1999 Revised: March 14, 2011**

### **I. PURPOSE**

The Solano County Sheriff's Office recognizes that the use of force requires constant consideration and evaluation. The purpose of this policy is to provide Solano County Sheriff's Office personnel guidelines on the reasonable use of force.

### **II. POLICY**

It is the policy of the Solano County Sheriff's Office that officers shall use only that amount of force which is reasonable, given the facts and circumstances known at the time of the event, to effectively bring an incident under control. "Reasonableness" of the force used shall be judged from the perspective of a reasonable officer on the scene at the time of the incident.

### **III. DEFINITIONS**

- A. **Deadly Force:** Any use of force that creates a substantial risk of causing death or serious bodily harm.
- B. **Non-Deadly Force:** Any use of force other than that which is considered deadly force. This includes any physical means used to control or restrain, or to overcome the resistance of another.
- C. **Officer:** Officer refers to peace officer classifications, correctional officer classifications, and the security officer classification.
- D. **Reportable Use of Force:** That force greater than force used for un-resisted searching and/or handcuffing in a law enforcement capacity.
- E. **Levels of Use of Force Incidents**
  - 1. **Level I Incidents** include the use of control holds, ground fighting, OC and/or specialized restraints.
  - 2. **Level II Incidents** include use of impact weapons, K-9, pepper ball and/or pugilistics.
  - 3. **Level III Incidents** include use of the Carotid hold, Deadly force, EMDT and/or Impact projectiles.

IV. USE OF FORCE

A. Use of Deadly Force

1. Officers are authorized to use deadly force to:
  - a. Protect themselves or others from what is reasonably believed to be an immediate threat of death or serious bodily harm; and/or
  - b. To prevent the escape of a fleeing violent felon who the officer has probable cause to believe poses a significant threat of death or serious bodily harm to the officer or others.
2. When practical, prior to the discharge of the firearm, officers shall identify themselves as law enforcement officers and state their intent to shoot.
3. While authorized weapons and equipment are identified in other Solano County Sheriff's Office's General Orders, it should not be implied that this is the only equipment that can be used. When officers are engaged in life-threatening situations, the use of makeshift weapons(s) or any weapon(s) of opportunity can be utilized.
4. As soon as circumstances allow, the officer utilizing deadly force in an incident will be placed on "deferred duty" status and returned to the office, remaining available to the investigating officer(s).
  - a. The officer shall remain on deferred duty until the conclusion of the Sheriff's Office investigation and the Sheriff authorizes the officer to return to normal duty status.
  - b. If the officer is on days off following the incident, he/she may be placed on standby status and make themselves available for the investigation.

B. Use of Non-Deadly Force

1. Where deadly force is not authorized, officers may use that level of force that is objectively reasonable to bring the incident under control.
2. Officers are authorized to use department approved, non-deadly force techniques and equipment to:
  - a. Protect the officers or others from physical harm
  - b. Restrain or subdue a resistant individual
  - c. Bring an unlawful situation safely and effectively under control

C. Use of Force in General

1. In use of force situations, it is recognized that officers are sometimes expected to make split-second decisions in circumstances that are tense, uncertain, and rapidly evolving, and that the amount of time available to evaluate and respond to changing circumstances may impact an officer's decision.
2. Given that no policy can realistically predict and address every possible situation an officer might encounter in the field, each officer must reasonably determine the appropriate use of force in each incident. Officers need only act objectively and reasonable given the facts and circumstances confronting them.
  - a. While officers need not employ the least intrusive degree of force possible, they should also consider less intrusive means to effect an arrest and the presence of feasible alternatives.
  - b. Officers must remember that once the force is used to successfully gain compliance, officers should reevaluate the use of force required to complete their task. Just as an officer may immediately increase a force option when warranted, the officer must be just as cognizant of decreasing force when appropriate.
  - c. No officer is required to sustain physical injury before using reasonable force.
3. Any application of force by an officer must be reviewed by a "reasonableness" standard. When determining when to apply any level of force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration. These factors may include, but are not limited to:
  - a. The subject poses an immediate threat of serious physical harm to the officer or others.
  - b. Severity of crime.
  - c. Availability of alternative methods to capture or subdue the suspect. (What resources are reasonably available to the officer under the circumstances?)
  - d. Officer's knowledge, training, experience, and state of mind.
  - e. The conduct of the individual being confronted as reasonably perceived by the officer at the time.
  - f. Subject resisting arrest or attempting to evade arrest by flight.
  - g. Officer/suspect factors (age, size, relative strength, skill level, injury / exhaustion, number of officers vs. subjects).



- h. Influence of drugs and/or alcohol.
- i. Mental capacity.
- j. Other exigent circumstances.

- D. Medical assistance shall be obtained for subjects who have sustained an injury, express a complaint of injury, or who have been rendered unconscious.

V. INVESTIGATION AND REPORTING USE OF FORCE

- A. Whenever, in a law enforcement capacity, an officer uses force against another person, he/she shall notify the supervisor as soon as possible following the incident.
- B. The supervisor shall evaluate the information related to the incident and should respond to the scene of all significant use of force incidents.
- C. If deadly force was used, the above reporting requirements will be followed and the supervisor shall respond to the scene for the following:
  - 1. Cause the scene of the incident to be preserved, all witnesses identified, and initiate an investigation.
  - 2. Ensure all officers involved in the incident and the investigation prepare a written report.
  - 3. Contact the on-call commander and request the Investigations Bureau respond to the incident. The commander will contact the Division Commander and/or Undersheriff to determine if an Administrative Investigations will respond.
  - 4. The supervisor of the Investigations Bureau will assume responsibility of the case, notwithstanding any Administrative Investigation, and notify the Coroner and the Officer Involved Fatality Protocol Team where applicable.
  - 5. The supervisor and/or commander will ensure General Order 5.016 Critical/Traumatic Incident Debriefing is followed, if applicable.
- D. The involved officer shall document the incident on the appropriate report form (e.g. Crime Report or Utility Report) and submit via normal channels.
  - 1. The officer's report should include all of the facts, circumstances, acts, and conduct that interferes with an officer's lawful exercise of authority and supports the level of force used. Reports should not just be reduced to a single documented act that satisfies the violation of a statute or justifies the use of force.

2. The officer should carefully articulate whether or not the subject's actions were essentially a continuous act of resistance and when the officer's use of force occurred.
  3. Officers should document if the force utilized was not intended to cause serious bodily injury.
  4. All injuries and/or whenever any impact weapon is employed, should be photographed for evidence and documented in the report. If the involved officer is off duty, an investigating officer should be asked to photograph and document any injuries.
  5. The use of force shall also be documented on the Use of Force Review Form, which provides officers a simple check list to complete that includes the type of force used, its effectiveness, a review block, and whether the report should be forwarded to the next level for further review and/or if applicable for training and policy review.
  6. The Use of Force Review Form is not filed in records as part of the report, but is utilized during the Use of Force Review process. As a result, this form should not be attached to the Crime or Utility Report submitted.
- E. In a use of deadly force incident, upon request, the officer shall be allowed to contact the appropriate legal representation for consultation prior to and/or during the writing of the report, public safety statements notwithstanding. Information that can be required by officers in a public safety statement includes, but is not limited to, outstanding suspects, number of rounds fired, bullet trajectories, etc., if the need is compelling.

#### **VI. MISCONDUCT**

Any officer who witnesses or who believes that another officer may have engaged in misconduct in the application of or after the application of force, shall notify his/her supervisor without delay and prepare a written report detailing the incident.

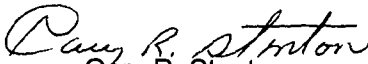
#### **VII. USE OF FORCE REVIEW**

- A. All reportable use of force will be reviewed by Sheriff's Office personnel assigned this duty in order to:
1. Allow Sheriff's Office personnel to review each use of force for effectiveness, training purposes, and/or policy review and amendment.
  2. Allow an incident to be documented in a database for statistical query.

- B. Use of force will be reviewed based on defined incident levels. These levels are not intended to identify a force continuum, but merely indicate the level of review approved by the Sheriff.
1. Level I Incidents will be reviewed at the supervisory level when the crime/incident report is completed. Once reviewed, the Use of Force Review Form will be forwarded to the person(s) responsible for data entry of the information; (Sheriff's Administrative Secretary).
  2. Level II Incidents are reviewed by both the supervisor and Program Manager. The supervisor completing the review will request a work copy of the Crime Report or Incident Report be forwarded to the appropriate manager through the Records/Warrants Bureau. The supervisor will forward the Use of Force Review Form directly to the appropriate manager for review. Once the Program Manager review has been completed the manager will forward the Use of Force Review Form to person(s) responsible for data entry of the information.
  3. Level III Incidents are reviewed by the supervisor, the Program Manager and a Use of Force Review Committee. Once the Program Manager review is complete, the manager will forward the Use of Force Review Form along with the work copy of the Crime Report or Incident Report to the Sheriff's Administrative Secretary and request that a committee review be scheduled. Once the committee review has been completed the committee chairman will forward the original Use of Force Review Form to person(s) responsible for data entry of the information.
  4. If at any time during the review process there are questions of misconduct, the report will be returned to the Program Manager for review. The Program Manager will review and, if applicable, take action as outlined in Solano County Sheriff's General order 5.001 Complaint Procedure.
  5. At each level of review, the reviewing officer shall ensure the accuracy of the information on the Use of Force Review Form conforms to the information provided in the crime/incident report.
- C. Use of Force Review Committee
1. The Use of Force Review Committee will convene periodically to review level III incidents. The Sheriff may also, at his discretion, request a review of a use of force incident at any time.
  2. Members of the Use of Force Review Committee shall be appointed at the sole discretion of the Sheriff.

- a. While there may be some cross-over duties between Public Safety and Custody, it is also recognized there are differences in procedures, training programs and tasks.
  - b. It is the responsibility of the person designated by the Sheriff to chair a Use of Force Review Committee to establish a panel that includes subject matter experts for each division and specific use of force elements.
  - c. In all cases, the chair of the board will submit the composition of the board to the Sheriff or his designee for approval prior to review.
- D. All suggestions resulting from a review at any level will be forwarded to the proper Program Manager for further review and if applicable, remedy. In all cases where deadly force was used, reports and finding will be forwarded directly to the Sheriff or his designee for review.

By order of

  
Gary R. Stanton  
Sheriff/Coroner  
County of Solano

## **SOLANO COUNTY SHERIFF'S OFFICE**

**GENERAL ORDER #: 6.002A**

**SUBJECT: DEFENSIVE TACTICS TEAM**

**DATE ISSUED: NOVEMBER 17, 1999      REVISED: APRIL 28, 2008**

### **DEFENSIVE TACTICS TEAM**

#### **I. PURPOSE**

The purpose of this order is to establish a Defensive Tactics Team (DTT) for advanced officer training to teach defensive tactics and control holds to overcome resistance and effect arrests. The training manager will coordinate the DTT. The DTT will conduct periodic training of departmentally approved defensive tactics.

#### **II. GUIDELINES**

- A. All officers shall show proficiency in departmentally approved defensive tactics under direct supervision of DTT instructors.
- B. All officers will be aware of the provisions of General Orders #6.002 and #6.003.
- C. All advanced officer defensive tactics training will be taught by DTT instructors or certified instructors as approved by the training manager.
- D. Records will be kept on all training sessions. Class records will indicate the following:
  - 1 - Participating officers' names
  - 2 - Date of course
  - 3 - Instruction received
  - 4 - Proficiency

#### **III. COURSE CURRICULUM**

- A. The advanced officer training courses may include, but are not limited to:
  - 1 - Ground control techniques
  - 2 - Impact weapons
  - 3 - Legal updates
  - 4 - Officer safety
  - 5 - Physical fitness
  - 6 - Policies and procedures
  - 7 - Use of force
  - 8 - Weaponless defense

IV. DEFENSIVE TACTICS PROFICIENCY


- A. Every officer shall demonstrate proficiency of approved defensive tactics.
- B. Instructors will determine student proficiency by student demonstration of practical skills and/or completion of verbal or written tests.
- C. The instructor will notify the training manager at the earliest possible date of any officers who fail to qualify or fail to show up.
- D. The training manager shall notify the appropriate division commander of the fact that the officer failed to qualify or show up.
- E. Re-qualifications/make-ups will be held at a later date and time designated by the training manager.
- F. Officers who fail to requalify or participate in make-up classes will be reported to the training manager for further evaluation. Instructors will prepare a detailed report regarding the deficiencies. The training manager shall supply copies of this report to the officer's supervisor, watch commander, and division commander. Training manager evaluations may include but are not limited to; the identification of physical problems, learning disabilities, and/or judgment problems.

Instructors' responsibility is to properly document training curriculum, remediation efforts, and officer proficiency. It shall be the responsibility of the training manager and the officer's superiors to determine the officer's status for duty. During this process, the officer may be referred to the division commander for reassignment. This reassignment shall not be considered punitive action. Its purpose is to protect the officer from injury, as well as to protect the officer, the Sheriff's Office, and the County of Solano from possible civil action.

V. USE OF FORCE REPORTING PROTOCOL

The Personnel Services Manager will establish a use of force reporting protocol whereby all use of force reports will be forwarded to his office and be made available to the DTT. The DTT will review reports for tactical effectiveness and charting purposes. Periodic reviews of use of force incidents can identify training needs or trends that could help to establish future agency policy modifications.

By order of



GARY R. STANTON  
Sheriff/Coroner  
County of Solano

## **SOLANO COUNTY SHERIFF'S OFFICE**

**General Order #**                    **6.002B**

**Subject:**                            **Impact Weapons**

**Date Issued:**                    **December 1, 2001**                    **Revised**    **March 4, 2004**

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### **Impact Weapons**

#### **I.        PURPOSE**

To ensure the application of impact weapons meets professionally acceptable standards and shall be used in a manner as presented and demonstrated during Basic Academy, and Advanced Officer Training and as published in the applicable agency training bulletins and shown in approved videos.

#### **II.       POLICY**

It is the policy of the Solano County Sheriff's Office that impact weapons may be used for the control of a combative or potentially combative person as set forth in the Solano County Sheriff's Office's Use of Force policy, # 6.002.

#### **III.      IMPACT WEAPONS AUTHORIZED FOR USE**

1.     Straight baton - wood, aluminum alloy, or plastic, 24-26 inches in length, black with rubber grommet. Baton will be unweighted and have no thong.
2.     Side handle baton, (PR24) plastic or aluminum, 22 to 24 inches in length, black ring.
3.     Straight and side handle expandable batons, 18 to 31 inches in length when expanded.
4.     Short Straight Baton-wood, aluminum, or plastic, 12-18 inches in length, with or without a rubber grommet. Baton will be unweighted.
5.     A 36-inch wooden baton can be used for crowd control. This equipment can only be used when authorized by supervisory personnel.
6.     12 gauge, 37mm and 40mm departmentally issued less lethal impact rounds

7. Hands, elbows, knees, and feet.
8. Flashlight: A flashlight is primarily used as an illumination device and not thought of as a defensive impact device. Circumstances may occur when an officer is justified in using a flashlight as a defensive weapon. If such a circumstance occurs, the officer may use a flashlight as an impact weapon.
9. **CUSTODY DIVISION PERSONNEL** are authorized to use an expandable type baton 18 to 23 inches in length without attachments (i.e. flashlights, pepper spray, etc.) in accordance with Custody Policy and Procedure #09.13.
11. Non-traditional weapons (clip board, citation bookcase, radio, etc.): Circumstances may occur when an officer is justified in using non-traditional weapons as a defensive/distraction device. It should be recognized that the use of these weapons are less effective than traditional impact weapons, and if afforded the opportunity, should be utilized as a means of transitioning to traditional use of force methods. If such a circumstance occurs, an officer may use non-traditional weapons as impact weapons.

#### IV. USE

An officer is not required to engage in hand-to-hand combat (with all its risks) before resorting to the method which will most quickly, effectively, humanely, and safely bring a subject under physical control.

Officers may have to use impact weapons in defensive situations or offensive tactical/ crowd control situations. When the decision is made to use an impact weapon, the officer must react with only as much force as is reasonable. One or two effective impact strikes are a stronger deterrent to further aggression than several ineffective strikes that are used to keep a subject away. When an impact weapon is used as a striking instrument, the intent is to stun and stop a subject.

Impact weapons used in this manner are capable of permanent or disabling injuries. Since all full impact strikes have a potential for causing injuries, discretion must be used when selecting target areas. The following guidelines shall be used when applying impact weapons.

1. Target areas include the center mass of the arm, center mass of the leg, center mass of the upper body.

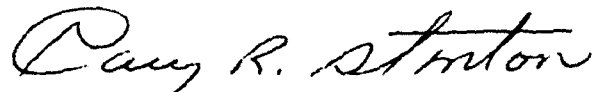


2. Areas to be avoided include the head, neck, spine, sternum, xiphoid process, solar plexus, and groin. These target areas should not be targeted unless the situation has escalated to lethal force.

V. REPORTING

Reporting the use of Impact weapons will be in accordance with the Solano County Sheriff's Office's Use of Force policy, # 6.002. An entry will be made on the Arrest and Detention Form (under medical problems) to alert the jail/medical staff the subject received strikes from an impact weapon. All injuries sustained from impact weapons should be photographed for documentation.

By order of

A handwritten signature in black ink, reading "Gary R. Stanton". The signature is written in a cursive, flowing style.

GARY R. STANTON  
Sheriff  
County of Solano

## **SOLANO COUNTY SHERIFF'S OFFICE**

**GENERAL ORDER # 6.002C**

**SUBJECT: CHEMICAL AGENTS**

**DATE ISSUED November 17, 1999 Revised February 1, 2005**

### **CHEMICAL AGENTS**

#### **I. PURPOSE**

To ensure the application of chemical agents meets the manufacture's and professionally acceptable standards in manner as presented and demonstrated during Basic Academy, and Advanced Officer Training and as published in the applicable agency training bulletins and shown in approved videos.

#### **II. POLICY**

It is the policy of the Solano County Sheriff's Office that chemical agents may be used for the control of a combative or potentially combative person as set forth in the Solano County Sheriff's Office's Use Of Force policy, # 6.002.

#### **III. CHEMICAL AGENTS AUTHORIZED FOR USE**

1. Oleoresin Capsicum (OC.) chemical spray or powder.
2. Ortho/Chlorobenzal-Malononitrile (C.S.)

**NOTE:** Only chemical agents issued by the Solano County Sheriff's Office may be used.

#### **IV. USE**

##### **Oleoresin Capsicum (OC)**

All officers will be trained in the application of OC prior to carrying it. Every Officer who has successfully completed training in the application of OC will carry department issued OC while on duty.

An officer is not required to engage in hand-to-hand combat (with all its risks) before resorting to the method which will most quickly, effectively, humanely, and safely bring a subject under physical control.

Officers may have to use chemical agents in defensive situations and/or offensive tactical/ crowd control situations.

1. The canister should always be held upright when fired. Caution should be observed during windy conditions due to blowing OC can contaminate other than intended subjects.
2. Aim the spray directly for the face. The ideal placement would be between the eyebrows.
3. A normal person will react to the chemical agent by ceasing resistance, possibly falling to the ground, inability to open eyes, irritated skin tissue, coughing and difficulty breathing.
4. Once the person is restrained, attempt to have them sit up. If they have to be laid down, ensure they are transported in the fetal position to minimize the risk of choking on their aspiration or the condition known as positional asphyxia.

#### **Ortho/Chlorobenzal-Malononitrile (C.S.)**

The use of CS remains an authorized chemical agent in situations that deal with, but not limited to:

1. Riot and crowd control situations.
2. Tactical operations.
3. Other operations deemed appropriate by command personnel.

#### **V. FIRST AID**

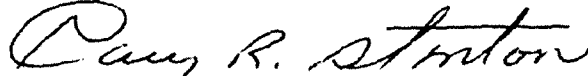
1. As soon as time and circumstance permit, expose the contaminated person(s) to fresh air and fresh water. **DO NOT USE ANY THING ELSE TO DECONTAMINATE.**
2. DO NOT apply any salves, creams, oils, or lotions. If the exposed individual is to be dried after contamination, use a cloth towel. Pat dry only. DO NOT RUB the exposed area with a towel.

3. Prior to booking or releasing, have the individual checked at a medical facility or by medical personnel only if:
  - a. Pain persists 30 minutes after washing.
  - b. Subject experiences persistent eye burning.
  - c. Difficulty in breathing persists, and/or coughing continues.
  - d. Inflammation results.

VI. REPORTING

Reporting the use of the chemical agents will be in accordance with the Solano County Sheriff's Office's Use Of Force policy, # 6.002. An entry will be made on the Arrest and Detention Form (under medical problems) to alert the jail/medical staff that the subject has been exposed to OC.

By order of

A handwritten signature in black ink, appearing to read "Gary R. Stanton". The signature is written in a cursive, flowing style.

GARY R. STANTON  
Sheriff/Coroner  
County of Solano

## **SOLANO COUNTY SHERIFF'S OFFICE**

**GENERAL ORDER #      6.002D**

**SUBJECT:                    CAROTID RESTRAINT HOLD**

**DATE ISSUED                    November 17, 1999                    REVISED: April 28, 2008**

### **CAROTID RESTRAINT HOLD**

#### **I.      PURPOSE**

To ensure the application of the Carotid Restraint Hold meets professionally acceptable standards and shall be used in a manner as presented and demonstrated during Basic Academy, and Advanced Officer Training and as published in the applicable agency training bulletins and shown in approved videos.

#### **II.      DEFINITION**

The Carotid Restraint Hold (Bi-lateral Vascular Neck Restraint) causes the compression of the person's left and right carotid arteries, located on each side of the neck, which restrict the flow of oxygenated blood to the brain. As a result, the person temporarily loses consciousness and can be controlled without any additional force.

#### **III.      POLICY**

It is the policy of the Solano County Sheriff's Office that the Carotid Restraint Hold may be used for the control of a combative or potentially combative person as set forth in the Solano County Sheriff's Office's Use of Force policy, # 6.002.

#### **IV.      APPLICATION**

The Carotid Restraint Hold would normally be applied when other lower levels of force have been attempted and have been ineffective, or when there is an immediate urgency or danger and lower levels of force are not appropriate. The Carotid Restraint Hold is not force which is reasonably likely to cause death; however, officers must keep in mind that even when it is applied properly, the possibility of injury exists.

The following procedure should be used when applying the Carotid Restraint Hold:

1. The Carotid Restraint Hold is most effective when the subject is either sitting or prone. This reduces the possibility of injury in the hyperextension of the subject's neck. However, depending on the situation, there may be no other option than to apply it on a standing subject.
2. Place your control arm around the subject's neck and center your elbow under the subject's chin. This allows the subject to breathe freely while restricting the blood flow.
3. Use your other hand to help apply pressure on the control arm. This will result in the bi-lateral compression of the subject's carotid arteries from your controlling arm's biceps and forearm.
4. Be sure to tuck your head behind the subject's head to minimize the possibility of the subject head butting you.
5. THE CAROTID RESTRAINT HOLD SHOULD NOT BE APPLIED FOR MORE THAN THIRTY (30) SECONDS. When the Carotid Restraint Hold is applied properly, most subjects will lose consciousness within ten (10) to fifteen (15) seconds. Release the Carotid Restrain Hold once the subject has lost consciousness. Maintain control of the subject and apply handcuffs.
6. Check for vital signs:
  - a. Establish airway
  - b. Check for breathing
  - c. Check pulse at radial artery
  - d. Obtain a verbal response form the subject

V. POST APPLICATION

Most subjects will regain consciousness within forty (40) seconds without any assistance. If a subject does not recover within forty (40) seconds, it should be considered a emergency medical situation and first aid, CPR, and summoning for additional medical assistance should be immediately implemented.

After application subject should not be placed face down or transported for a minimum of twenty (20) minutes. During this time officers should observe the subject for any changes which might require medical assistance. Officers shall transport the subject to the nearest medical facility for examination and medical clearance prior to booking.

Attempt to transport the subject sitting up. If they must be laid down, ensure they are transported in the fetal position to minimize the risk of choking on their aspiration or the condition known as positional asphyxia.

VI. PRECAUTIONS

1. Under no circumstances, other than lethal force, shall the Carotid Restraint Hold be used to restrict the flow of the blood for more than thirty (30) seconds. Paralysis or death may result if the blood flow is restricted for more than three to four minutes.
2. Under no circumstances, other than emergency situations, shall the Carotid Restraint Hold be applied more than once during a twenty four (24) hour period.
3. Under no circumstances, other than lethal force, shall the Carotid Restraint Hold be applied with any other instrument than the officer's arms. (ex. Flashlight, PR24 straight baton)
4. Using the Carotid Restrain Hold on the very young may result in nervous system damage, due to their systems being under developed.
5. Using the Carotid Restrain Hold on the very old could cause heart attack or stroke.

B. REPORTING

Reporting the use of the Carotid Restraint Hold will be in accordance with the Solano County Sheriff's Office's Use of Force policy, # 6.002. Transporting officers will be told the carotid restraint was applied for purposes of observation. Additionally, an entry will be made on the Arrest and Detention Form (under medical problems) to alert the jail/medical staff the Carotid Restraint Hold has been applied. Transporting officers will also verbally inform the jail staff that the carotid restraint has been applied to the individual.

By order of

A handwritten signature in cursive script, reading "Gary R. Stanton".

GARY R. STANTON  
Sheriff/Coroner  
County of Solano



## **SOLANO COUNTY SHERIFF'S OFFICE**

**GENERAL ORDER #        6.002E**

**SUBJECT:                    THE WRAP RESTRAINT DEVICE**

**DATE ISSUED                    November 17, 1999                    Revised:    May 13, 2008**

### **I        PURPOSE**

To offer an apparatus designed as a temporary restraining device, which provides a safe quick method of controlling unruly prisoners.

### **II        DESCRIPTION**

The restraining device, the WRAP, is manufactured by Safe Restraints. The WRAP immobilizes the lower torso of the body, restricting the subject's movements, which can increase officer safety, reduce property damage, aid in the oxygen recovery rate, and reduce risk of liability due to injuries and in custody deaths.

### **III        POLICY**

It shall be the policy of the Solano County Sheriff's Office that the Wrap can be utilized only by qualified personnel to immobilize individuals when uncooperative, combative, and/or violent behavior is anticipated and conventional means would not be appropriate; or, on uncooperative, combative, and/or violent individuals when conventional means of restraint are not effective.

### **IV        TRAINING**

All Solano County Sheriff sworn Sergeants, Deputies, and Correctional Sergeants and Officers, shall be certified in the use of the Wrap prior to utilizing the Wrap in the field or jails. Certified Wrap instructors shall train Sheriff's personnel. Re-certification of Sheriff's personnel shall be completed every two years from the initial certification and every two years from any re-certification.

V USE AND APPLICATION

1. The WRAP can be used prior to or after a violent or potentially violent/combatative subject is controlled using approved department procedures. It should only be used on the subject's lower torso. Like other restraining devices, the WRAP is not 100% escape-proof. Once applied, the subject should never be left unattended.
2. Although one person may be able to apply the WRAP on a passive subject, to apply it on violent/combatative subjects will most likely require at least two individuals.
3. A subject, once properly restrained in the WRAP, can be placed on his/her side or in a sitting position to increase the oxygen recovery rate, thus reducing the incidence of positional asphyxia often contributed to by a subject being restrained in a prone position. If the subject is placed in a sitting position, back support should be provided. Failure to supply back support may adversely affect the oxygen recovery rate of the subject.
4. Movement of the subject can be accomplished in two ways depending on the cooperation of the subject. The subject can either be carried or allowed to shuffle to the mode of transportation.
  - a. To carry the subject, it is recommended that at least two, but preferably three or more personnel be used depending on the size and weight of the subject. Lift the subject by the arms and ankles. A "log lift" carrying technique may be used when moving the subject. Proper lifting techniques should be followed to prevent unnecessary injury.
  - b. As an option to lifting, the subject may be moved by means of a shuffle. If the subject has calmed down, the lower WRAP leg straps can be loosened to allow some leg movement below the knees without compromising security or safety concerns. By loosening the suspender straps, the subject can be brought to a standing position with the help of officers, and then allowed to shuffle to their destination. If this method is used, appropriate support must be given to support the subject to prevent unnecessary injury to the subject.

6. Prior to vehicle transportation, re-check all belts to ensure that they are securely fastened. The use of a seat belt may be helpful in limiting movement, which may cause injury to the subject. If the subject is seated in the sitting position, back support should be provided.

#### VI. PRECAUTIONS

1. The subject should never be left unattended. The WRAP is a temporary restraining device and is not 100% escape proof.
2. The waistband should never be tightened such that it interferes with the subject's ability to breathe.
3. The waistband should never be used on a pregnant subject.
4. The leg bands and wrist cuffs (if used) must be checked frequently for tightness and re-tightened as necessary until the device is removed by jail staff or medical personnel.
5. Personnel shall monitor the subject while the device is in place. It is the officer's responsibility to make sure there is no blood flow restrictions at the wrist. If the subject complains of or shows signs of breathing distress, (shortness of breath, changes in level of consciousness, changes in skin color, etc.), medical attention should be provided immediately.

#### VII. REPORTING

The WRAP shall be considered as a use of force option and shall be subjected to all reporting requirements listed in the Solano County Sheriff's Office Use of Force Policy, general order #6.002.

By order of



GARY R. STANTON  
Sheriff/Coroner  
County of Solano

# **SOLANO COUNTY SHERIFF'S OFFICE**

**General Order # 6.002F**

**Subject: Use of Electronic Control Devices**

**Date Issued: May 24, 2002**

**Revised: January 12, 2012**

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## **I. PURPOSE**

The purpose of this General Order is to establish policy and procedure for the deployment and use of the electronic control device (ECD). When properly applied in accordance with this policy, the ECD is considered a non-deadly control device which is intended to temporarily control a violent or potentially violent individual without causing serious injury. It is anticipated that the appropriate use of such a device will result in fewer serious injuries to officers and suspects.

## **II. DEFINITIONS**

- A. **ECD** is a device that uses propelled wires or direct contact to conduct energy to affect the sensory and motor functions of the nervous system.
- B. **Officer** refers to peace officer classifications, correctional officer classifications, and the security officer classification.
- C. There are two methods by which the ECD may be used as determined by circumstances, environment and/or subject proximity.
  - 1. **Drive stun** deployment, or use by direct contact with a subject without deploying the probes, relies primarily on pain compliance and requires close proximity to the subject. When used in this manner, additional caution should be exercised due to proximity and because the controlling effects may be limited.
  - 2. **Probe** deployment, or use of the projectile probes connected to the ECD cartridge; the length of the cartridge leads attached to the probes determines the proximity requirements.

## **III. POLICY**

- A. It is the policy of the Solano County Sheriff's Office that ECDs shall only be used in a manner consistent with this General Order and General Order 6.002 Use of Force.

- B. As in all Use of Force, officers need only act objectively reasonable given the facts and circumstances confronting them. While officers need not employ the least intrusive degree of force possible, they should also consider less intrusive means to effect an arrest and the presence of feasible alternatives.
- C. Drive Stun use of an ECD is a less-than-intermediate use of force; however, probe deployment use of an ECD is a use of force option that requires a strong governmental interest compelling its use.
- D. Personnel who have completed department approved training may be issued an ECD for use during their current assignment. Personnel leaving a particular assignment may be required to return their issued device to the department's inventory.
- E. In addition to the initial department approved training required to carry and use an ECD, officers must also attend an annual recertification training class taught by a department approved ECD instructor. A reassessment of an officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Manager.
- F. Officers shall only use an ECD and cartridges that have been issued by the Solano County Sheriff's Office.
  - 1. When the ECD is carried as a part of the equipment of a Deputy Sheriff or Sheriff Security Officer, the ECD shall be carried on the side opposite from the duty weapon.
  - 2. Correctional Officers authorized to carry the ECD in their assigned duties may carry the ECD on either side, according to personal preference.
  - 3. All ECD's shall be clearly distinguishable from all lethal duty weapons.
  - 4. Whenever practical, officers should carry a total of two or more ECD cartridges on their person at all times while carrying an ECD.
  - 5. Officers shall be responsible for ensuring that their issued ECD is properly maintained and in good working order at all times.
  - 6. Officers should never hold both a firearm and the ECD at the same time unless the use of deadly force is justified.

#### IV. VERBAL AND VISUAL WARNINGS

- A. Unless it would otherwise endanger officer safety or is impractical due to circumstances, a verbal announcement shall precede the application of an ECD in order to:
  - 1. Provide the individual with a reasonable opportunity to voluntarily comply.
  - 2. Provide other officers and individuals with warning that an ECD may be deployed.
- B. If, after a verbal warning, an individual continues to express an unwillingness to voluntarily comply with an officer's lawful orders, and it appears both reasonable and practical under the circumstances, the officer may, but is not required to, display the electrical arc (provided there is not a cartridge loaded into the ECD) or laser in a further attempt to gain compliance prior to the application of the ECD. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair their vision.
- C. The fact that a verbal and/or other warning was given, or reasons it was not given, shall be documented in any related reports.

#### V. USE OF THE ECD

- A. As with any law enforcement equipment, the ECD has limitations and restrictions requiring consideration before its use. The ECD should only be used when its operator can safely approach the subject within the operational range of the ECD. Although the ECD rarely fails and is generally effective in subduing most individuals, officers should be aware of this potential and be prepared with other options in the unlikely event of such a failure.
- B. Authorized personnel may use the ECD to subdue or control a subject when the officer, at the time, has objective facts to believe that the application of the ECD is reasonable because the subject poses an immediate threat to the officer, subject, or the public. Use of the ECD may be appropriate for the following:
  - 1. A violent or physically resisting subject, or
  - 2. A potentially violent or physically resisting subject if:
    - a. The subject has verbally or physically demonstrated an intention to resist; and

- b. The officer has given the subject a verbal warning of the intended use of the ECD followed by a reasonable opportunity to voluntarily comply; and
  - c. Other available options reasonably appear ineffective or would present a greater danger to the officer, the subject, or the public.
- C. Although not absolutely prohibited, a higher threshold is required for use of the ECD for high-risk populations including, but not limited to, the following individuals. Officers must give additional consideration to the unique circumstances involved, including whether the individual poses an immediate threat to officers or others, prior to any ECD application:
  - 1. Pregnant females
  - 2. Elderly or infirm individuals
  - 3. Juveniles, including small children
  - 4. Individuals with low body mass index (BMI)
  - 5. Individuals who are handcuffed or otherwise restrained
  - 6. Individuals who have been recently sprayed with alcohol based pepper spray or who are otherwise in close proximity to any combustible material
  - 7. Individuals whose position or activity may result in collateral injury (e.g. falls from height, operating vehicles, open water)
  - 8. Persons suspected of being under the influence of drugs, and/or alcohol
  - 9. Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond physical characteristics, unusually high tolerance to pain or who require a protracted physical encounter with multiple officers to bring under control (also refer to Medical Treatment section VII)
- D. While manufacturers have generally recommended that reasonable efforts should be made to target lower center mass and avoid intentionally targeting the head, neck, groin and chest, it is recognized that the dynamics of each situation and officer safety may not permit the officer to limit the application of the ECD probes to a precise target area. As such, officers should take prompt and ongoing care to monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin.

- E. Because the drive stun application of the ECD relies primarily on pain compliance and requires close proximity to the subject, additional caution should be exercised and the controlling effects may be limited.
- F. The ECD shall not be used to torture, psychologically torment, elicit statements or inflict undue pain on any individual.
- G. The ECD shall not be utilized if any agency's law enforcement canine is deployed. Deployed means the canine is off the leash and has been sent to apprehend a subject.

#### VI. MULTIPLE APPLICATIONS OF THE ECD DEVICE

If, after a single application of the ECD, an officer is still unable to gain compliance from an individual, and circumstances allow, the officer should consider whether or not the probes are making proper contact, or if the use of the ECD is limiting the ability of the individual to comply, or if other options or tactics may be more appropriate. This, however, shall not preclude any officer from multiple, reasonable applications of the ECD on an individual.

#### VII. MEDICAL TREATMENT

- A. Only qualified medical personnel, including certified paramedics, should remove ECD probes from a person's body. Used ECD probes shall be considered a sharp biohazard, similar to a used hypodermic needle. Universal precautions should be taken accordingly.
- B. All persons who have been struck by ECD probes or who have been subjected to the electric discharge of the device shall be medically assessed. Assessment shall be conducted by Custody Division medical staff for Sheriff's Office bookings and for in-custody incidents.
- C. Any individual, who falls under the following categories shall, as soon as practicable, be medically cleared by a hospital emergency room:
  - 1. An individual exhibiting signs of distress after an ECD application
  - 2. An individual suspected of being under the influence of controlled substances and/or alcohol and the person reasonably appears to be in need of medical attention
  - 3. An individual who may be pregnant
  - 4. ECD probes are lodged in a sensitive area (e.g., groin, female breast, near the eyes)
  - 5. An individual requests medical treatment



- D. Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond physical characteristics, imperviousness to pain, or who require a protracted physical encounter with officers to bring under control, may be at an increased risk of sudden death and should be examined by qualified medical personnel.
- E. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included if possible.
- F. The transporting deputy shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the application of the ECD (TASER).

#### VIII. EVIDENCE

- A. Photographs will be taken of the site of the probe impacts, signature marks from a drive stun applications, and any related injuries and uploaded as evidence pursuant to procedure. Probes will be photographed alongside a ruler and disposed of unless the incident is an officer involved fatality, in which case the probes shall be collected and entered into evidence.
- B. After an ECD has been deployed, the entire device shall be placed into evidence, except when the deployment was accidental and no persons or animals were struck. All items shall be packaged and sealed in a manner consistent with Sheriff's Office procedural requirements and shall be entered into one evidence locker, as space allows.
- C. The following components shall be packaged in separate bags or containers:
  - 1. Probes, if placed into evidence, will be cut from the cartridge with at least six inches of line attached, and shall be placed into a sharps container to remove the possibility of biohazard exposure.
  - 2. The body of the ECD shall be packaged in a paper bag and remain separate from the other packaged items, as it will be returned to service after inspection.
  - 3. Cartridge and AFIDs shall be packaged in small paper or plastic bags.
  - 4. Items identified in this section shall be placed, after packaging, into a single paper bag to ensure all items remain together.

5. A copy of the Property Report containing an itemized listing of the ECD related components, including any serial or other reference numbers that the items contain, shall be placed in the locker with the device and other evidence.

IX. ECD EXCHANGE

- A. When an ECD device is used and placed into evidence, the duty sergeant or officer in charge (OIC) must replace the device with another temporary device to prevent the user from loss of an important officer safety tool. This exchange shall be documented.
- B. When the ECD has been inspected and the information content downloaded, it will be returned to the assigned deputy or to the duty sergeant by the ID Bureau.

X. REPORT OF USE

- A. Reporting the use of ECD will be in accordance with the Solano County Sheriff's Office General Order 6.002 Use of Force. All ECD discharges shall be documented in a Use of Force Reporting form as well as the related Crime, Utility or Informational Report. Accidental discharges of an ECD cartridge will also be documented in an Informational Report and forwarded to the Training Manager.
- B. All details and observations leading up to the use of the ECD device, as well as the subject's responses to attempts to gain compliance, shall be documented. This documentation will include, but is not limited to:
  1. Observations of the officer regarding the subject possibly being under the influence of drugs or alcohol
  2. Observations detailing the behavior of the subject, such as non-compliance, aggression, etc.
  3. Verbal warnings given by the officer
  4. Visual warnings given by the officer, such as display of the ECD device or an arc from the device
  5. Distance at which the device was deployed, and manner of deployment
- C. An entry will be made on the Arrest and Detention Report in the section for medical information to alert jail and/or medical staff that the ECD was deployed on the subject during the arrest. If the subject is already in custody, the report will indicate that the ECD was deployed to gain

compliance and the method of deployment (probe or drive stun deployment).

- D. Any report documenting the discharge of an ECD will include the serial numbers for the ECD and the cartridge. The onboard ECD memory will be downloaded through the data port, and saved with the related incident/arrest/crime report as outlined in Section X1B.
- E. Any refusal of medical attention shall be fully documented in related reports.

XI. TASER INFORMATION MEDIA

- A. The Solano County Sheriff's Office has TASERs™ that may be equipped with a TASER Cam™, which is an audio-video recording device integrated into the power supply. The TASER Cam is activated any time the safety is not engaged. The safety should not be disengaged unless the officer intends the use the device and the guidelines established in Sections III and IV are met or the officer is conducting a maintenance check. After any incident when the TASER Cam is activated, the video and audio data shall be downloaded by the designated Custodian of Records in accordance with department evidence procedures and referenced in any related report(s). All video and audio not booked as evidence will be kept for a minimum of two (2) years plus the current year, at which time they will be erased or destroyed.
- B. All current handheld ECD devices also have an internal memory device that registers information regarding its use. The internal data will be downloaded by the Custodian of Records in accordance with department evidence procedures and referenced in any related report(s). Additionally, a routine data dump on all devices will take place bi-annually for documentation purposes.
- C. The Custodian of Records for all TASER media will be appointed by the Sheriff or his/her designee. Records shall be maintained pursuant to requirements of the Public Records Act.

By order of



GARY R. STANTON  
Sheriff-Coroner  
County of Solano

## **SOLANO COUNTY SHERIFF'S OFFICE**

**General Order #**                **6.002H**  
**Subject:**                        **Pepperball System**  
**Date Issued:**                **June 17, 2002**

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### **PEPPERBALL SYSTEM**

#### **I.     PURPOSE**

To offer another less-than-lethal force option and ensure that the PepperBall System manufacturer's specifications and professionally acceptable standards are met.

#### **II.    POLICY**

It is the policy of the Solano County Sheriff's Office that the PepperBall System may be used for the control of combative or potentially combative persons as set forth in the Solano County Sheriff's Office Use of Force policy, General Order # 6.002.

#### **III.   DESCRIPTION OF PEPPERBALL SYSTEM**

- A.    The PepperBall launcher is a semi-automatic rifle that utilizes compressed air to launch a plastic frangible round that fragments on impact and disperses Oleoresin Capsicum (OC).
- B.    PepperBall projectiles are plastic spheres (2 grams total weight) that are filled with powdered or liquid 5% Oleoresin Capsicum (OC). The projectile, when delivered by an air-powered launching device, bursts on impact and releases OC.
- C.    The PepperBall System combines kinetic impact with Oleoresin Capsicum.

#### **IV.   USE**

- A.    All Officers will be trained in the application and proper maintenance of the PepperBall System prior to use. Only those Officers who successfully complete the training in the application of the PepperBall System will be authorized to use the System. Officers may only use the System while on duty. Officers will be required to qualify annually.

- B. Officers may use the PepperBall System in defensive and/or offensive tactical, crowd control and custodial facilities situations.
- C. Proper maintenance checks should be made at the beginning of every shift to ensure that the System is functioning, has ammunition available, and is pressurized.
- D. The manufacturer states that the System is "muzzle safe" and can be fired from a distance of as little as three (3) feet, but only if it is safe to so. The System shall not be fired from a distance of less than three (3) feet. If fired from less than three (3) feet, the projectile can penetrate the skin. The effective range when firing at a subject is thirty (30) feet. The effective range for saturating an area is one hundred (100) feet.
- E. The optimum target area for the system is the center chest area. The face, eyes, neck, throat, groin and spine **shall not** be targeted unless lethal force is authorized per Solano County Sheriff's Office Display and Discharge of Firearms Policy, G.O. # 6.003. Caution should be used during windy conditions because airborne OC can contaminate unintended subjects. When firing the PepperBall System consideration should be made to the surrounding area so that unintended targets are not hit.
- F. Because of the likelihood of using the PepperBall System against an armed subject as an alternative to lethal force, it is suggested that the Officer should always have a cover Officer present.
- G. Most people will react to the impact of the projectile and the release of the OC by ceasing to resist, possibly falling to the ground, being unable to open their eyes, having irritated skin tissue, coughing and having difficulty breathing, and in some instances, vomiting. These symptoms generally last between five (5) and ten (10) minutes. There may also be bruising to the impact area of the projectile.
- H. Once the person is restrained, attempt to sit the person upright. If the person must lie down, ensure that the person is transported in a fetal position to minimize the risk of choking on their aspiration or the condition known as positional asphyxia.

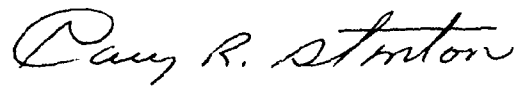
V. FIRST AID

First Aid procedures are the same as found in the Solano County Sheriff's Office Chemical Agents Policy, G.O. # 6.002C.

VI. REPORTING

Reporting the use of the PepperBall System will be in accordance with the Solano County Sheriff's Use of Force Policy, G.O. # 6.002. An entry will be made on the Arrest and Detention Form (under medical problems) to alert jail/medical staff that the subject was exposed to OC. In addition, the PepperBall report form shall be completed and a copy forwarded to the Training Manager.

By order of

A handwritten signature in black ink, reading "Gary R. Stanton". The signature is written in a cursive style with a large, stylized "G" and "S".

GARY R STANTON  
Sheriff  
County of Solano

## SOLANO COUNTY SHERIFF'S OFFICE

**General Order #** 6.002I

**Subject:** FN303 Less Lethal Launcher

**Date Issued:** March 4, 2005

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### I. PURPOSE

To offer another less lethal force option and ensure that the **FN303 Less Lethal Launcher** manufacturer's specifications and professionally acceptable standards are met.

### II. POLICY

It is the policy of the Solano County Sheriff's Office that the **FN303 Less Lethal Launcher** may be used for the control of combative or potentially combative persons as set forth in the Solano County Sheriff's Office Use of Force policy, General Order # 6.002.

### III. DESCRIPTION

- A. The **FN303 Less Lethal Launcher** is a semi-automatic rifle that utilizes compressed air to launch a plastic frangible round that fragments on impact and disperses Oleoresin Capsicum (OC), glycol (water), washable or indelible paint.
- B. **FN303 Less Lethal Launcher** projectiles are fin stabilized liquid projectiles made of frangible plastic designed to break upon contact with a muzzle velocity average of 280-300 feet per second.

NOTE: Projectile payloads include:

- 1. OC 5% at 2 million SHU (Scoville Heat Units)
- 2. Marking paint (washable or indelible)
- 3. Water

- C. The **FN303 Less Lethal Launcher** combines kinetic impact with Oleoresin Capsicum.

### IV. USE

- A. Authorized officers will be trained in the application and proper maintenance of the **FN303** prior to use. Only those officers who successfully complete the training in the application of the **FN303** will be authorized to use the launcher. Officers may only use the **FN303** while on duty. Officers will be required to qualify annually.

- B. Officers may use the **FN303** in defensive and/or offensive tactical, crowd control and custodial facilities situations.
- C. Proper maintenance checks should be made at the beginning of every shift (and/or before tactical deployment) to ensure that the launcher is functioning, has ammunition available, and is pressurized.
- D. The effective range when firing at a subject is from 3 to 150 feet. The FN303 shall not be fired from a distance of less than three (3) feet.
- E. When deploying FN303 Less Lethal Projectiles, shot placement is the most crucial means of preventing serious injury from extended range less lethal projectiles. The optimum target area for the FN303 projectiles should be targeted at the person's torso or extremities depending on distance between operator and subject. If possible, direct shots toward the clothed portion of the subject's body to reduce the possibility of cuts and/or abrasions to exposed skin. When deploying the FN303 launcher in close combat situations with 3 to 12 feet between the operator and the subject, the recommended target area is the thighs of the subject (not center mass). The face, eyes, neck, throat, groin and spine **shall not** be targeted unless lethal force is authorized per Solano County Sheriff's Office Display and Discharge of Firearms Policy, G.O. # 6.003. Caution should be used during windy conditions because airborne OC can contaminate unintended subjects. When firing the **FN303** consideration should be made to the surrounding area so that unintended targets are not hit.
- F. Because of the likelihood of using the **FN303** against an armed subject as an alternative to lethal force, it is suggested that the officer should always have a cover officer present.
- G. Most people will react to the impact of the projectile and the release of the OC by ceasing to resist, possibly falling to the ground, being unable to open their eyes, having irritated skin tissue, coughing and having difficulty breathing, and in some instances, vomiting. These symptoms generally last between five (5) and ten (10) minutes. There may also be bruising to the impact area of the projectile.

## V. FIRST AID

Ensure that a medical evaluation is provided to the arrestee/inmate. If OC projectiles have been used:

- A. As soon as time and circumstance permit, expose the contaminated person(s) to fresh air and fresh water. **DO NOT USE ANY THING ELSE TO DECONTAMINATE.**

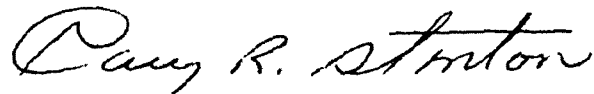


- B. DO NOT apply any salves, creams, oils, or lotions. If the exposed individual is to be dried after contamination, use a cloth towel. Pat dry only. DO NOT RUB the exposed area with a towel.
- C. Prior to booking or releasing, have the individual checked at a medical facility or by medical personnel only if:
  - 1. Pain persists 30 minutes after washing.
  - 2. Subject experiences persistent eye burning.
  - 3. Difficulty in breathing persists, and/or coughing continues.
  - 4. Inflammation results.

#### VI. REPORTING

Reporting the use of the **FN303** will be in accordance with the Solano County Sheriff's Use of Force Policy, G.O. # 6.002. In addition, the Less Lethal Impact report form (6.002H) shall be completed and a copy forwarded to the Training Manager.

By order of



GARY R STANTON  
Sheriff/Coroner  
County of Solano

## **SOLANO COUNTY SHERIFF'S OFFICE**

**General Order #**                **6.002J**

**Subject:**                        **Ultron Electronic Power Shield**

**Date Issued:**                **March 8, 2005**

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### **Ultron Electronic Power Shield**

#### **I.     PURPOSE**

To offer another less-than-lethal force option and ensure that the Ultron Electronic Power Shield manufacturer's specifications and professionally acceptable standards are met.

#### **II.    POLICY**

It is the policy of the Solano County Sheriff's Office that the Ultron Electronic Power Shield may be used for the control of combative or potentially combative persons as set forth in the Solano County Sheriff's Office Use of Force policy, General Order # 6.002.

#### **III.   APPROVED DEVICE**

- A.    Electronic Power Shield: a handheld, less-lethal, electronic immobilization device. The shield is a self-contained design that contains a grid system that permits body contact via a 1.5 inch wide conductor strip.
- B.    Powered by the Ultron stun package.

#### **IV.    USE**

Authorized officers will be trained in the application and proper maintenance of the Electronic Power Shield prior to utilizing this equipment. Only those officers who have successfully completed Electronic Power Shield training will be authorized to use this device. Officers may use the Ultron Electronic Power Shield only while on duty.

- A.    The designated control officer shall conduct proper maintenance checks of the Electronic Power Shield including replacing batteries as necessary.

- B. Once the subject is incapacitated, establish control quickly. Stabilize the subject and use proper restraining equipment. DO NOT position the subject face down. Ensure free breathing by turning the subject onto his/her side or into a sitting position to promote free breathing.
- C. The subject may sustain injuries from the Electronic Power Shield being used. Render first aid immediately as necessary. Never leave the subject unattended. Monitor the subject until seen by appropriate medical staff.

V. TRAINING

Officers who successfully complete Electronic Power Shield training will be authorized to use the Power Shield while on duty. Officers using the Electronic Power Shield will be certified in both the application and proper maintenance of the shield prior to utilizing this equipment.

Certified Electronic Power Shield instructors shall train authorized Sheriff Office personnel. Officers who successfully complete training on the Electronic Power Shield will be authorized to use the shield while on duty.

VI. FIRST AID

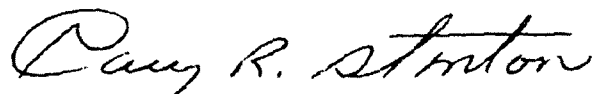
Inform medical personnel that the Electronic Power Shield was used and request a medical evaluation.

VII. REPORTING

Reporting the use of the Electronic Power Shield will be in accordance with the Solano County Sheriff's Use of Force Policy, G.O. # 6.002. The officers report will contain that Electronic Power Shield was placed on the subject, for what reason, and if it was activated.

In the event of accidental discharge, an informational report will be generated by the officer operating the Electronic Power Shield regarding the circumstances of the incident.

By order of



GARY R. STANTON  
Sheriff/Coroner  
County of Solano

## **SOLANO COUNTY SHERIFF'S OFFICE**

**General Order #**                    **6.003**

**Subject:**                            **Display and Discharge of Firearms**

**Date Issued:**                    **February 1, 1996**                    **Revised: November 7, 2013**

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**I.        PURPOSE:**

The purpose of this order is to provide Solano County Sheriff's Office personnel guidelines regarding the display or use of firearms when on official duty.

**II.       POLICY**

It is the policy of the Solano County Sheriff's Office that display and/or discharge of firearms will be in accordance with the General Order 6.002 Use of Force and this Order.

**III.      DEFINITIONS**

- A.      A firearm is any pistol, rifle or shotgun capable of firing a projectile and using an explosive charge as a propellant.
- B.      Authorized firearms are those firearms outlined by General Order 3.004A Uniform and Equipment: Deputy Sheriff.
- C.      Officer refers to peace officer classifications, correctional officer classification, and the security officer classification.

**IV.      USE OF FIREARM**

**A.       Display of Firearm**

- 1.      An officer may display a firearm when the officer reasonably believes, given the facts and circumstances known at the time of the event, that there exists a situation involving the potential of deadly force or serious bodily injury to the officer or others. Examples include, but are not limited to:
  - a.      Situations involving the use, or threatened use, of weapons
  - b.      Felony or high-risk vehicle stops
  - c.      Felony or high-risk arrests
  - d.      Response to burglar alarms and building searches
  - e.      Encountering vicious or dangerous animals
- 2.      The officer should secure or re-holster the firearm when the threat of potential deadly force is no longer reasonably believed to be present.

- B. An officer may discharge a firearm only under the following conditions:
1. In accordance with General Order 6.002 Use of Force and General Order 6.005 Pursuit Guidelines.
  2. With the approval of a supervisor, a deputy may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical (Penal Code § 597.1(e)).
    - a. Injured animals (with the exception of dogs and cats) may only be euthanized after a reasonable search to locate the owner has been made (Penal Code §597.1(b)).
    - b. Injured dogs and cats found without their owners shall be taken to an appropriate veterinarian for determination of whether they should be treated or humanely destroyed.
  3. To give an alarm or to call for assistance for an important purpose when no other means can be used, such as in a search and rescue operation.
  4. During range training and/or qualifications.
  5. As a reasonable means of escaping a deadly situation.
- C. Reporting Requirements
1. All reporting requirements shall be completed as soon as practical and no later than the end of the shift on which the firearm was used.
  2. Any time a firearm is intentionally pointed at a subject, a written report will be generated detailing the circumstances of the incident.
  3. Whenever an officer discharges a firearm while in the performance of his or her assignment, that officer shall report the discharge as soon as practical.
    - a. The on-duty supervisor shall be notified of the discharge and the facts and circumstances surrounding the incident.
      - 1) When a firearm is used as a means of deadly force, the supervisor will notify the bureau or on-call lieutenant as soon as practical.

- 2) The notification will then be continued through the chain of command to the sheriff.
- b. In all cases where an officer discharges a firearm in the performance of his or her duties, with the exception of range training or qualifications, an investigation and written report will be generated in accordance with the General Order 6.002 Use of Force.
- 1) If the officer who discharged the firearm is hospitalized and incapable of completing the reporting requirements, or is fatally injured, the officer's supervisor will promptly ensure that the Use of Force reporting requirements are met.
  - 2) A copy of the report will be forwarded through the chain of command to the sheriff.
  - 3) The officer discharging a firearm shall be placed on administrative leave pending the completion of the shooting review except in situations of euthanizing an injured animal or when deemed unnecessary by executive management.

#### V. SHOOTING BOARD OF REVIEW

- A. The Board of Review is comprised of, but not limited to, the following members:
1. Undersheriff (chairman)
  2. A private citizen, appointed by the sheriff
  3. Captain
  4. A member with equal rank to the department member who discharged the firearm (appointed)
  5. Additional board members may be appointed by the sheriff or undersheriff.

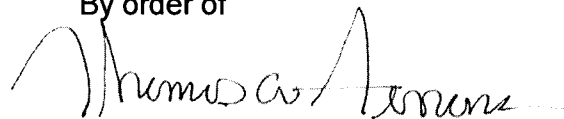
B. The Review

1. A meeting of the Board shall be called by the chairman within ten (10) days of a firearms discharge to review the circumstances of the discharge.
2. The Board may call the subject officer(s), witness deputies, or others to answer questions and clarify reports and/or statements. Subject officer(s) may have appropriate representation present during the review.
3. The Board shall make or receive recommendations for the modification of departmental firearms use policy and shall make recommendations concerning training necessary for the effective implementation of such policy.
4. On completion of the review, the Board shall submit its findings to the sheriff in writing.

C. Sheriff Review

1. Within thirty (30) days of the review by the Board, the sheriff will make the final assessment on the discharge based on the report by the Board.
2. Should further investigation be required, the sheriff may extend the 30-day limit for decision.
3. The sheriff shall determine whether or not disciplinary action is required, the extent of that action, and notify the subject officer of the determination in writing.

By order of



THOMAS A. FERRARA  
Sheriff/Coroner  
County of Solano

## **SOLANO COUNTY SHERIFF'S OFFICE**

**General Order #                6.004**

**Subject:                        Legal Operation of Emergency Vehicles**

**Date Issued:                February 1, 1996                        Revised: April 11, 2008**

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### **I.        PURPOSE**

To provide an awareness of the legal aspects pertinent to the operation of an emergency vehicle and to familiarize deputies with the responsibilities and potential liabilities attached to the operation of emergency vehicles.

### **II.       PROCEDURE**

- A.       Under ordinary operating conditions, all members must obey all provisions of the Vehicle Code pursuant to Vehicle Code Section 21052. The mere fact that the member is a deputy sheriff, or that he is driving a county vehicle in an emergency, does not eliminate the obligation to operate the vehicle in the manner required by law.**
- B.       According to Vehicle Code Section 21055, the circumstances exempting the driver of an emergency vehicle, as defined in Vehicle Code Section 165, from obeying the rules of the road include:**
  - 1.       Driving a vehicle under the one of the following specific emergency conditions:**
    - a.       In response to an emergency call, defined as situations involving an actual or probable danger of bodily harm or loss of life to any individual.**
    - b.       While engaged in rescue operations.**
    - c.       In the immediate pursuit of an actual or suspected violator of the law. (For departmental Pursuit Guidelines, refer to General Order 6.005.)**
    - d.       While responding to a fire.**
  - 2.       The driver of the emergency vehicle sounds the siren as may be reasonably necessary and displays a steady lighted red lamp visible from the front as a warning to other drivers and pedestrians.**



C. Response Definitions

1. Code 1 - At your convenience.
2. Code 2 - Proceed directly to the call, taking the most direct route, obeying all traffic laws and rules.
3. Code 3 - Emergency lights will be illuminated and siren will be activated as needed.

D. It shall be the policy of this Department that units responding Code 3 to an emergency call shall use appropriate safety precautions during response.

1. The red lights and siren shall be utilized during response.
2. The driver shall slow to a speed reasonable for existing conditions prior to entering an intersection against a red light, stop sign or uncontrolled intersection.
3. The driver shall immediately advise the patrol supervisor and dispatch via the radio of the decision to respond Code 3.
4. Normally, only the primary unit will be authorized to respond Code 3 on any given call.
  - a. Additional units may be cleared for Code 3 response by the patrol supervisor if conditions warrant.
  - b. When multiple units are responding Code 3, dispatch or responding units shall communicate current locations and travel routes.
  - c. Simultaneous emergency calls to different locations shall involve communication of responding unit current locations and travel routes.

E. Urgent Field Responses

1. Field responses where use of a siren may interfere with the effective performance of the police function, such as burglary or robbery in progress or prowler calls, should be made as promptly as practical.

2. Without emergency equipment activated, personnel are cautioned that they are subject to obeying all traffic laws.
    - a. Vehicle Code Section 21055 does not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety to all persons using the highway, nor protect him from the consequences of an arbitrary exercise of the privileges granted in that section.
    - b. The phrase "arbitrary exercise" has been held to mean "a decisive but unreasoned act" or similar in meaning to "willful misconduct."
  3. If in the judgment of the responding officer, the distance of response, prevailing traffic conditions and/or the nature of the incident so warrant, the emergency lights to the front and the siren should be activated as is reasonably necessary.
- F. The spotlight may be used to illuminate the interior of a stopped vehicle for officer safety and/or searching purposes, but shall not be used as a sole means of "stopping" vehicles.
- G. Safe Response Considerations
1. Maintain a speed and alert awareness that allows avoidance of hazards and due regard to all persons.
  2. Keep the vehicle under control at all times.
  3. When driving, using red lights and siren, drive as near to the center of the roadway as possible.
  4. Do not pass on the right except when no other course is open, and then with extreme caution.
  5. Allow motorists and pedestrians an opportunity to yield the right of way.

By order of



GARY R. STANTON  
Sheriff/Coroner  
County of Solano

# **SOLANO COUNTY SHERIFF'S OFFICE**

**General Order #                    6.005**

**Subject:                               Pursuit Guidelines**

**Date Issued:                    February 1, 1996                               Revised:    June 4, 2007**

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## **PURSUIT GUIDELINES**

### **I.        PURPOSE**

The purpose of this general order is to provide deputies guidance in balancing the safety of the public and themselves against law enforcement's duty to apprehend criminal suspects. This policy is expressly written and adopted pursuant to the provisions of the California Vehicle Code § 17004.7 and the 2006 POST California Law Enforcement Vehicle Pursuit Guidelines.

### **II.       DEFINITIONS OF KEY TERMS**

#### **Pursuit**

An event involving one or more law enforcement officers attempting to apprehend a suspected or actual violator of the law in a motor vehicle while the driver is using evasive tactics, such as high speed driving, driving off the road, turning suddenly, or driving in a legal manner but failing to yield to the deputy's stop signal.

#### **Supervisor**

The shift sergeant or assigned Officer in Charge (with specific responsibility for issuing orders and providing direction to others). In the absence of shift supervision, sergeants on duty have the authority to assume the duties of supervisor of the incident.

#### **Failure to Yield**

Refers to the actions of a vehicle operator who fails to stop or respond to the deputy's signal to stop or respond to emergency lights and siren of a law enforcement vehicle.

#### **Balance Test**

An ongoing decision process to analyze the risk of initiating, continuing and/or terminating a pursuit. If the threat to the public or deputy is greater than the need for immediately apprehending the suspect, then the pursuit should not be initiated or should be terminated.

Terminate

To discontinue or stop chasing the fleeing vehicle. Termination of a pursuit may be initiated by either the pursuing deputy or by a supervisor. Note: To terminate a pursuit does not mean to use intervention tactics to stop the pursuit.

Intervention Tactics

Refers to specific operational tactics (e.g., pursuit intervention/immobilization technique [PIT], blocking, ramming, boxing, roadblock procedures, tire deflation device/spike strip, etc.) intended to disable a fleeing suspect in a vehicle or otherwise prevent further flight or escape.

III. POLICY

Deciding whether to pursue a motor vehicle is a critical decision that must be made quickly and under difficult, unpredictable circumstances. A deputy may pursue a motor vehicle involved in a suspected or actual law violation when the guidelines of this general order are followed and the deputy's actions are objectively reasonable; that is, what a reasonable deputy would do under these circumstances, based on the totality of circumstances confronting the deputy at the time of the incident.

The law enforcement pursuit is a rapidly changing event. A "Balance Test" should be used as a guide in determining whether or not to initiate or continue a pursuit. Factors which can be used for continuously assessing the need for apprehension versus the risk created by the pursuit are set forth in Section IV.

IV. WHEN TO INITIATE A PURSUIT

The Balance Test should be used as a guide to determine whether or not to pursue. A deputy's reasonable suspicion must be based upon the facts perceived by the deputy at that time. Factors used to continuously assess the need for apprehension versus risk created by the pursuit include, but are not limited to:

- A. Public safety
- B. Nature of offense and apparent circumstances
- C. Deputy safety
- D. Vehicle Code requirements
- E. Passenger in deputy's vehicle (e.g. citizen, witness, prisoner)
- F. Pedestrian and vehicular traffic patterns and volume
- G. Other persons in or on pursued vehicle (e.g. passengers, co-offenders, hostages)

- H. Location of the pursuit (e.g. school zone, playground, residential, downtown, jurisdiction)
- I. Time of day
- J. Speed of fleeing suspect
- K. Weather and visibility
- L. Road conditions
- M. Identity of offender, if known)/offender can be located at a later time
- N. Capabilities of law enforcement vehicle(s)
- O. Ability of deputy(ies) driving
- P. Availability of additional resources
- Q. Whether supervisory approval is required
- R. Deputy's/supervisor's familiarity with the area of pursuit
- S. Quality of radio communications (e.g. out of range, garbled, none)

V. PURSUIT UNITS

- A. Pursuits should, when possible, be conducted by marked patrol vehicles. If a pursuit is initiated by an unmarked law enforcement vehicle, the unmarked unit shall abandon involvement once sufficient marked units have joined the pursuit. Emergency lights and siren shall be in working order and continually activated by all vehicles involved in the pursuit.
- B. Generally, pursuits are limited to two (2) marked patrol vehicles and a supervisor's vehicle. Additional vehicles may be authorized based on officer safety factors (e.g., nature of violation, weapons, number of occupants in fleeing vehicle, etc.).
- C. Vehicles not equipped with red lights and sirens are generally prohibited from initiating or joining in any pursuit. Deputy(ies) in these vehicles may become involved in emergency activities involving serious crimes or life threatening situations. Those deputies should terminate their involvement in any pursuit immediately upon arrival of a sufficient number of emergency law enforcement vehicles or a helicopter. **The exemptions provided under Vehicle Code § 21055 do not apply to deputies using vehicles without emergency equipment.**
- D. This policy does not preclude unmarked police units not equipped with a red light and siren and/or off-duty personnel in private vehicles from following suspect vehicles **within the confines of the law** in order to obtain a license number and/or description and/or until such time as a marked police unit is observed and is able to make a proper stop.

VI. DEPUTY'S RESPONSIBILITY

All deputies actively involved in a pursuit shall follow the guidelines of legal operations of emergency vehicles as set forth in California Vehicle Code § 21055, California Vehicle Code § 21056, and General Order 6.004.

A. Primary Unit

1. The initiating deputy shall be designated as the primary pursuit unit and will be responsible for the conduct of the pursuit unless he/she is unable to remain reasonably close enough to the suspect's vehicle. The primary responsibility of the deputy initiating the pursuit is the apprehension of the suspect(s) without unreasonable danger to themselves or other persons.
2. The initiating deputy shall immediately notify Dispatch that a vehicle pursuit has been initiated and, as soon as practical, provide information including, but not limited to:
  - a. Reason for the pursuit
  - b. Location and direction of travel
  - c. Speed of the fleeing vehicle
  - d. Description of fleeing vehicle and license number if known
  - e. Number of known occupants
  - f. The identity or description of the known occupants
  - g. Information concerning the use of firearms, threat of force, injuries, hostages, or other hazards
  - h. Traffic, weather, and road conditions
  - i. Possible jurisdiction(s) to alert
3. As soon as possible, the initiating deputy should inform Dispatch if assistance from any allied agency will be necessary. This includes requests for aircraft support availability.
4. The primary deputy will continually update Dispatch with pertinent information regarding the pursuit, including any changing conditions or additional law violations. If the supervisor is not present in the pursuit, the deputy will notify the supervisor of additional balance factors to be considered.
5. The primary deputy is responsible for the conduct of the pursuit. The primary deputy shall continue in that capacity until the pursuit ends, is terminated, or until a succeeding unit replaces the primary pursuing unit. If the primary deputy is unable to remain close

enough to the violator's vehicle to prevent losing contact, a replacement deputy can assume the primary unit responsibilities.

6. The primary deputy, at his/her discretion, may terminate the pursuit based on the Balance Test factors in section IV of this general order. The primary deputy shall immediately notify Dispatch that the pursuit has been discontinued.

B. Secondary Unit

1. The deputy in the secondary unit shall notify Dispatch of his/her response to the incident, including when he/she joins the pursuit.
2. He/she shall remain a safe distance behind the primary unit unless directed to assume the role of primary unit or if the primary unit is unable to continue the pursuit.
3. The secondary officer should be responsible for broadcasting the progress of the pursuit unless the situation indicates otherwise. It is recommended that the deputy in the secondary unit should assume radio communication responsibilities, thereby relieving the primary unit to concentrate on pursuit driving. If the secondary unit assumes radio communications, it is the responsibility of this deputy to provide the required updated information.

C. Supervisory Responsibility

1. The supervisor of the deputy initiating the pursuit will be notified immediately and is responsible for the following:
  - a. Continually monitoring the information being provided by the pursuing units and Dispatch.
  - b. Ascertaining all reasonably available information to continuously assess the pursuit, and risk factors associated, to ensure compliance with department general orders.
2. The supervisor is responsible for pursuit activities and has the authority and responsibility to terminate a pursuit if, in his/her judgment, it is not justified to continue based on the Balance Test factors outlined in Section IV.

3. Whenever possible, the supervisor should respond to the area and join the pursuit to oversee the incident. If the supervisor is out of position or otherwise engaged in a critical incident, the supervisor can assign additional unit(s) or an OIC until the supervisor can join the pursuit.
4. The supervisor shall assure the appropriate number of units are involved in the pursuit.
5. If time and circumstances allow, the supervisor is responsible for approval of intervention techniques.
6. The supervisor shall ensure that notification is made to the appropriate allied agency(ies) when it is likely that a pursuit will cross jurisdictional boundaries.
7. The supervisor, when practical, should proceed to the location where the pursuit ends to provide supervision and on-the-scene coordination with allied agency supervisors who may be present.

## VII. PURSUIT DRIVING TACTICS

The decision to use or not use specific driving tactics requires the same assessment of Balance Test factors as outlined in Section IV. The following are tactics for deputies involved in the pursuit:

- A. Deputies, considering their driving skills and performance capabilities, will space themselves from other involved vehicles so that they are able to see and avoid hazards or react safely to maneuvers by vehicles. Spacing should be kept to a distance that allows deputies to react to sudden changes in the vehicle speed, direction, or other factors requiring evasive action or a change in tactics.
- B. Generally, in the event the pursued vehicle drives left of center (wrong way) on a freeway, the following tactics should be considered:
  1. Request assistance from air units.
  2. Maintain visual contact with the pursued vehicle by paralleling it on the correct side of the freeway.
  3. Request other units to observe exits available to the suspect(s).



Driving left of center (wrong way) may be justified in **only rare and extreme circumstances** based on the totality of circumstances known to the deputy at the time, that an imminent threat of death or serious bodily injury exists. The mere fact that the vehicle is driving the wrong way would not normally meet this threshold. Circumstances that do meet the threshold include:

- To protect one's self or others from death or serious bodily injury
- To effect the arrest on an actual or suspected felon for conduct, including the use or threatened use of deadly force
- To effect the arrest of a suspect who reasonably appears to pose an immediate threat of death or serious bodily injury to the deputy or public if apprehension is delayed

The Balance Test factors outlined in Section IV should be considered when determining the use of this tactic.

- C. During a pursuit, due care must be taken when entering an intersection within the right of way. Extreme caution must be exercised when entering an intersection against the right of way.
- D. Deputies involved in a pursuit should not attempt to pass other units unless the situation indicates otherwise or requested to do so by the primary unit.
- E. Units Not Involved in the Pursuit
  - 1. Deputies in units not assigned to the pursuit shall stay out of the pursuit unless specifically requested by the supervisor or the situation dramatically changes, warranting an additional response.
  - 2. Deputies not actively involved in the pursuit should remain alert to its progress and location. Commonly used tactics for deputies not involved in the pursuit are:
    - a. Trailing – Deputies continue to follow the path of the pursuit observing all the rules of the road. Trailing officers are not active in the pursuit.
    - b. Paralleling – Deputies parallel the incident, observing all the rules of the road, to provide advanced traffic control, updated information, or additional support if needed.

- c. Intersection Clearing – Deputies who are not actively involved in a **Solano County Sheriff's Office pursuit** are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. (Emergency vehicle operation to the intersections is not authorized unless approved by the supervisor.)

#### VIII. AIR SUPPORT

When available, air support should be requested. Air support can provide valuable assistance to units and supervisors involved in a pursuit and can be used to minimize the hazards inherent in pursuits.

Air support is to be utilized for visual assistance only, to provide pursuing emergency vehicles on the ground with information regarding the pursued vehicle's direction of travel, of potential traffic hazards or possible cut-off routes, and other logistical information. Air units may also provide area illumination if needed.

As soon as practical, communications should be established with air support so that pertinent information can be relayed to the ground units. If direct communication with ground units is unavailable, Dispatch will establish communication with the air support unit and relay information to ground units.

An aircraft is not defined as an authorized emergency vehicle in the California Vehicle Code.

One aircraft at a time will be actively involved in the pursuit. Additional aircraft may be "staged" to assume the duties of the primary air support unit. If more than one air support unit is available for assistance, the supervisor should evaluate the type of aircraft available (helicopter versus fixed wing) and request the aircraft that will provide the best support for the incident.

Coordination and/or supervision of the pursuit shall not be relinquished to air support.

IX. COMMUNICATIONS/DISPATCH RESPONSIBILITY

Upon notification that a pursuit has been initiated, the Dispatch Center shall:

- A. Coordinate pursuit communication of the involved units and personnel
- B. Ensure that a field supervisor is notified of the pursuit
- C. Notify and coordinate with other involved or affected agencies as practical
- D. Log all pursuit activities
- E. Broadcast pursuit updates as well as other pertinent information as necessary
- F. Immediately broadcast information to deputies and allied law enforcement agencies if the pursuit has been terminated
- G. Notify watch commander as soon as practical

X. TERMINATION OF PURSUIT

A determination when to terminate or discontinue a pursuit requires continuous consideration of the Balance Test factors. The pursuit supervisor and deputies should continuously assess the need for apprehension versus risk created by the pursuit pursuant to Section IV.

XI. PURSUITS INTO OTHER AGENCY'S JURISDICTION

- A. The agency that initiates a pursuit shall be responsible for conducting the pursuit. When a pursuit enters another agency's jurisdiction, the supervisor should determine if the Sheriff's Office will continue the pursuit. Balance Test factors in Section IV will be considered. Other factors to consider include:
  - 1. Ability to maintain the pursuit
  - 2. Circumstances serious enough to continue the pursuit
  - 3. Adequate staffing to continue the pursuit
  - 4. Safety of pursuing officers
  - 5. The public's safety within the secondary agency's jurisdiction

- B. When a pursuit enters another agency's jurisdiction, the Dispatch Center shall notify allied agencies of the pursuit and shall specify if assistance is or is not requested by the pursuing unit or supervisor.
  - 1. If assistance from an allied agency is requested, only the amount of assistance that complies with this general order will be utilized. The supervisor will be specific about the amount of assistance required. When pursuit assistance is no longer required, the supervisor should notify and release the assisting unit back to the local jurisdiction.
  - 2. When possible, dispatch centers will establish telephone line contact and have it manned by operators who have direct contact with their officers.
  - 3. Whenever practical, the supervisor shall proceed to the location where the pursuit ends to provide guidance and necessary supervision. The on-scene supervisor will determine each agency's responsibility for the arrest, transportation, booking, and prosecution of the suspect(s).

## XII. RELINQUISHING PURSUITS TO ANOTHER AGENCY

- A. When a pursuit extends into an allied agency's jurisdiction, the supervisor should determine if the Sheriff's Office will relinquish the pursuit to another agency. The Balance Test factors in Section IV will be considered when making this determination. Once the allied agency has sufficient units involved in the pursuit, Solano County Sheriff's units will discontinue active participation in the pursuit.
- B. Units originally involved will discontinue the pursuit when advised that another agency has assumed the pursuit and assistance is no longer needed. Upon discontinuing the pursuit, the primary unit may proceed, upon request, with or at the discretion at the direction of a supervisor, to the location where the pursuit ended to assist in the investigation.
- C. When possible, an allied agency's dispatch center should assume primary responsibility for communications. However, the Sheriff's Office Dispatch Center will continue to monitor the pursuit and update the Sheriff's Office supervisor with current information.
- D. Unless the allied agency requests the responsibility to arrest and book suspect(s) due to violations that occur in their jurisdiction, the Sheriff's Office will arrest and book the pursuit suspect(s). If violations of the law

occurred after the pursuit being relinquished to another agency, the agency witnessing the violations will be responsible for those violations and their prosecution. The agency having or witnessing the most serious crime would normally retain custody of the violator.

### XIII. JOINING OR PURSUITS BY ALLIED AGENCIES

- A. Deputies shall notify Dispatch when they become aware of a pursuit that is occurring near the county jurisdiction. Conversely, Dispatch will notify deputies of an allied agency's pursuit occurring near assigned areas.
- B. The mere notification by another agency of a pursuit in progress is not a request to assist in the pursuit.
- C. Requests for assistance by allied agencies shall be reviewed and approved by a supervisor. Assistance shall not be provided if the pursuit does not meet the criteria set forth in this order.
- D. Sheriff's Office units shall not join an allied agency's pursuit unless specifically requested by the agency whose officers are in pursuit. An exception to this would be when a single unit of the initiating agency is in pursuit. Under this circumstance, for officer safety reasons, **and if the pursuit is in compliance with General Order 6.005**, a Sheriff's Office unit may join in the pursuit until other units from the initiating agency join the pursuit, or until ordered to terminate by the supervisor.

### XIV. SPEED LIMITS

The speed of the pursuit is a factor that should be evaluated on a continuing basis by the officer and supervisor. Deputies shall only drive at that speed which is reasonable given the Balance Test factors as outlined in Section IV.

### XV. CONDITIONS OF VEHICLE, DRIVER, ROADWAY, WEATHER, AND TRAFFIC

The following conditions must be assessed continually in conjunction with the Balance Test factors outlined in Section IV:

- A. Condition of emergency vehicle: Improperly maintained or damaged vehicles are more likely to experience mechanical failure, increasing the risk to the deputy and public.
- B. Conditions affecting drivers: Physiological and psychological factors should not influence a deputy's continuous assessment and decision making.

- C. Roadway conditions: Width and surface may change; pursuits through the county may go from paved multi-lane roadways to one-lane gravel or dirt roads. Vehicle performance, traction, and handling will change accordingly.
- D. Weather conditions: Rain, fog, ice, and snow can create substantial safety hazards due to visibility and changing road conditions.
- E. Traffic conditions: Traffic conditions vary throughout the county, from relatively deserted rural roadways where traffic is virtually non-existent to moderate to heavy conditions in the urban areas and multi-lane interstate highways.

#### XVI. PURSUIT INTERVENTION

- A. Any pursuit intervention tactic, depending upon conditions and circumstances used, may present dangers to officers, the public, or occupants of the vehicle being pursued. Generally speaking the use of pursuit intervention tactics should be utilized following supervisor approval.
- B. In assessing whether to use intervention tactics, officers and supervisors should balance the risks of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. The Balance Test factors should be considered when determining the use and/or authorization of pursuit intervention tactics.
- C. It is understood, however, that a vehicle pursuit is a dynamic and quickly changing incident and that situations may develop that will require the deputy to take immediate action, using intervention techniques, without supervisor approval, to bring the pursuit to a conclusion and eliminate the immediate threat to the safety of the public, deputies, and others. With this in mind, all intervention tactics should be reasonable in light of the circumstances confronting the deputy at the time of the decision.

#### XVII. PURSUIT INTERVENTION TACTICS

- A. Each authorized pursuit intervention tactic should be reasonable in light of the circumstance confronting the decision-maker(s) at the time. Consideration concerning the approval and type of specific tactics to terminate a pursuit should include balancing the potential hazards arising from the use of each tactic and the possible risks to the public, officers, and persons in or on the pursuit vehicle. Populated areas such as a school zone, playground, residential area, or downtown area should be avoided whenever

possible. Additionally, pursuit intervention tactics are discouraged at high speeds.

- B. Deputies who have not received certified departmental training in the application and use of any intervention tactics or equipment shall consider the totality of circumstances and requirements prior to deciding how, when, where and if an intervention tactic should be employed.
- C. Pursuit intervention tactics have the potential to cause death or serious bodily injury. Whenever such tactics are to be utilized, one or more of the following factors should be present:
  - 1. To protect one's self or others from death or serious bodily injury
  - 2. To effect the arrest on an actual or suspected felon for conduct, including the use or threatened use of deadly force
  - 3. To effect the arrest of a suspect who reasonably appears to pose an immediate threat of death or serious bodily injury to the deputy or public if apprehension is delayed
  - 4. The suspect is driving in willful or wanton disregard for the safety of persons; or driving in a reckless and life endangering manner
- D. The following pursuit intervention tactics may be considered and utilized:
  - 1. Pursuit Intervention Technique (PIT) is a lower speed maneuver designed to cause the suspect's vehicle to spin out, ending the pursuit. Only deputies trained in the use of the PIT are authorized to use this procedure.
  - 2. Ramming a fleeing vehicle is a deliberate act of impacting the emergency law enforcement vehicle with the suspect's vehicle to functionally damage, disable, or otherwise force the suspect's vehicle to stop.
  - 3. Roadblock is a tactic designed to stop a suspect's vehicle by intentionally placing an emergency or law enforcement vehicle or other immovable object in the path of the suspect's vehicle. The intentional placement of roadblocks in the direct path of the pursued vehicle is generally discouraged and should not be utilized without supervisory approval, and then only under extraordinary circumstances. The roadblock will be constructed in such a manner

as to be readily visible to the violator from a sufficient distance away to allow an opportunity to surrender, if it is his intent to do so.

4. Spike strip is a device that extends across the roadway designed to puncture the tire of the pursued vehicle, ultimately ending the pursuit. The use of spike strips should be approved in advance by a supervisor and deployed only when it is reasonably certain that the pursued vehicle will be affected by its use. Deputies should carefully consider the limitations of the device, as well as the potential risk to other officers, the public, and the occupants of the pursued vehicle.
5. Boxing in is a tactic designed to stop the suspect's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop. Pursuing deputies should obtain supervisor approval prior to attempting to box a suspect vehicle during a pursuit. The use of such a technique must be carefully coordinated with all involved units, taking into consideration the circumstances and conditions present at the time, as well as potential risk of injury to officers, the public, and occupants of the pursued vehicle.
6. The use of firearms to disable a pursued vehicle is generally not an effective tactic and involves all the dangers associated with discharging a firearm. Officers should not utilize firearms during an ongoing pursuit unless the conditions and circumstances dictate that such use is reasonable for the protection of life. Nothing in this section shall be construed to prohibit any deputy from using a firearm to stop a suspect from using a vehicle as a deadly weapon. The use of firearms under pursuit conditions shall be in accordance with Solano County Sheriff's Office Discharge of Firearms General Order 6.003.

#### XVIII. CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of suspect(s). At the conclusion of the pursuit, high-risk vehicle stop tactics will be utilized. Deputies should use only the amount of force that is reasonable under the circumstances to properly perform their lawful duties pursuant to General Order 6.002.



**XIX. REPORTING REQUIREMENTS**

The following reports should be completed to comply with appropriate local and state regulations:

- A. The primary deputy shall complete the appropriate incident report in all cases where deputies from this department engage in a pursuit. An incident report shall be prepared under the direction of the supervisor. If the pursuit is at the request of, or in aid of, an allied agency, the report shall be entitled "Agency Assist." The report shall incorporate elements, such as the start and end of the pursuit and actions taken by the deputies and the fleeing vehicle, etc., to give detailed documentation of the event.
- B. Pursuant to Vehicle Code § 14602.1(b), the primary officer shall complete a Pursuit Report to be reviewed by a supervisor and filed with the CHP, either electronically or on paper, no later than thirty (30) days after the pursuit. The Pursuit Report shall minimally contain the following information:
  - 1. Whether any person involved in the pursuit or subsequent arrest was injured, specifying the nature of that injury and differentiating between the suspect driver, a suspect passenger, and the officers involved
  - 2. The violation(s) that caused the pursuit to be initiated
  - 3. The identity of the officers involved in the pursuit
  - 4. The means or methods used to stop the suspect being pursued
  - 5. All charges filed with the court by the District Attorney
  - 6. The conditions of the pursuit including, but not limited to, all of the following:
    - a. Duration
    - b. Mileage
    - c. Number of officers involved
    - d. Maximum number of units involved
    - e. Time of day
    - f. Weather conditions
    - g. Maximum speeds

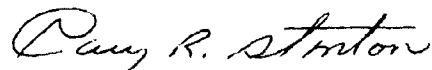
7. Whether the pursuit resulted in a collision and resulting injuries or fatality to an uninvolved third party, and the corresponding number of persons involved
  8. Whether the pursuit involved multiple agencies
  9. How the pursuit was terminated
- C. A supervisor shall review all available information and submit completed report to Records. A copy of the report will be forwarded to appropriate lieutenant(s).
- D. The lieutenant(s) will determine if the pursuit appears to be in compliance with this policy and determine the need for any additional review and/or follow up.

XX. TRAINING

In addition to initial and supplemental POST training on pursuits required by California Penal Code § 13519.8, all sworn members will participate, no less than annually, in regular and periodic training addressing this policy and the importance of vehicle safety and protecting the public at all times, including a recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others (Vehicle Code § 1700.4(d)).

Each officer shall certify in writing that he/she received, read and understands this policy initially, and upon any amendment(s).

By order of



GARY R. STANTON  
Sheriff / Coroner  
County of Solano

# **SOLANO COUNTY SHERIFF'S OFFICE**

**General Order # 6.007**

**Subject: Officer Involved Fatal Incident Protocol (OIF)**

**Date Issued: February 1, 1996 Revised: April 11, 2008**

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## **OFFICER INVOLVED FATAL INCIDENT PROTOCOL (OIF)**

### **I. POLICY**

In an effort to provide the citizens of Solano County and the employees of this Department with a thorough, fair, and complete investigation of an officer involved fatal incident, this Department and other law enforcement agencies have joined together and formed the Officer Involved Fatal Incident Protocol.

### **II. PROCEDURE**

- A. Any time any employee of the Sheriff's Office is involved in an incident, while on duty, in which major injury or death occurs, the ranking member on duty shall, if in the jurisdiction of the Sheriff's Office, invoke the Protocol.
- B. Any time any member of this agency is involved in an incident, while off duty, which involves death or major injury and the incident occurred in the Sheriff's Office jurisdiction, the ranking member on duty shall invoke the Protocol.
- C. Any time any employee of this agency, while off duty, is involved in an incident where the employee is acting, either actually, purportedly or apparently, for a law enforcement purpose and it is in the jurisdiction of the Sheriff's Office to respond, the Protocol shall be invoked.

### **III. NOTIFICATION**

The Solano County District Attorney's Office on-call investigator shall be contacted according to current Protocol requirements. The investigator and the Solano Sheriff's Investigations Bureau supervisor will determine the resources required to meet the needs of the investigation.

By order of



GARY R. STANTON  
Sheriff/Coroner  
County of Solano

## **SOLANO COUNTY SHERIFF'S OFFICE**

**General Order #** 7.010

**Subject:** Alternatives to Custody Program (ATC)

**Date Issued:** January 29, 2016

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**References:** Penal Code Sections 1203.016, 1203.018, 1208, 1318, 2900.5, 4019, 4024.2, 4024.3 and 4532(a)(1); Solano County Ordinance 877 and 763; and Solano County Board of Supervisor's Resolutions 83.71 and 2000-101, County Code Section 24-30.

### **I. PURPOSE**

The Solano County Sheriff's Office is dedicated to reducing the population of presentenced and sentenced low- to medium-risk offenders currently housed in the Solano County jail facilities to the extent possible as authorized by statute. A qualified offender is offered the opportunity to participate in various alternatives to custody program components that allow conditional release. Not all offenders are acceptable for the Alternatives to Custody Program (ATC).

### **II. PROGRAMS**

#### **A. Work Release Program**

1. A voluntary Work Release Program has been approved pursuant to Penal Code Section 4024.2 by the Board of Supervisors and is administered by the Sheriff's Office for qualified sentenced offenders.
2. Offenders approved for this program remain out of custody and are scheduled to appear at specific contracted locations throughout Solano County to perform manual labor in lieu of each day of incarceration.
3. Offenders may participate in the program and receive work credit for documented participation in educational, vocational, substance abuse, life skills or parenting programs in lieu of performing labor.
4. Work release allows offenders to receive credit toward the completion of a court ordered sentence pursuant to Penal Code Section 4019 by participating in work assignments or attending classes under direct supervision in the community.

5. Work sites are selected in a manner that ensures the participants will receive sufficient direction and supervision to accomplish necessary tasks and needs of the work site.
  - a. Work sites are generally under the care of state or local governmental entities such as CalTrans, Solano County General Services and city governmental agencies.
  - b. Work site supervisors are provided training in the proper handling of work release participants and expected reporting requirements of the program.
6. In circumstances when jail population reaches 90% of mandated capacity, the Sheriff's Office may implement mandatory work release participation in order to reduce or prevent an increase in jail population pursuant to Penal Code Section 4024.3. These persons must have sentences or remaining time to serve of 15 days or less and be physically able to participate based on program requirements. Priority is given to inmates who volunteer to participate in the program.

B. Work Furlough Program

1. Solano County has established a Work Furlough Program, which, pursuant to Penal Code Section 1208, enables inmates to continue their employment or education while serving their court ordered sentence.
2. Work furlough allows low-risk offenders to leave the housing facility during specified times to continue to maintain gainful employment to support themselves and family members or to continue ongoing education during the period of incarceration.

C. Electronic Monitoring Program

1. The Board of Supervisors has approved and authorized the Sheriff to administer a voluntary home detention program for sentenced offenders in lieu of confinement in the county jail pursuant to Penal Code Section 1203.016. Participants will be monitored using various forms of electronic monitoring devices. The type of device(s) used to monitor participants will be at the sole discretion of the Sheriff's Office.
2. Electronic monitoring allows the offender to complete the court ordered sentence in the home with restrictions to movement outside the home and strict rules for activity within the home. This includes a curfew and restrictions on visitors to the home.

3. Information related to persons on electronic monitoring shall be provided to the jurisdictional law enforcement agency of the participant's residence or work place upon request. Information to be provided is limited to:
  - a. Participant name
  - b. Address
  - c. Date of birth
  - d. Offense committed by the home detainee
  - e. Current or historical GPS coordinates of the participant, when for investigative purposes

### III. PROGRAM SCREENING AND PARTICIPATION

- A. The Court and Probation Department may recommend offenders to participate in the ATC Program; however, applicants must meet program requirements in order to participate. Participation in the program is at the sole discretion of the Sheriff's Office after completion of a background investigation.
- B. Applicants to the program are screened on an individual basis. A thorough background investigation is conducted on each offender to assess any apparent threat to the community or likelihood of re-offending. The screening background investigation process includes, but may not be limited to:
  1. The existence of outstanding warrants and pending criminal cases
  2. Criminal history content
  3. Pre-sentence reports and risk assessments from the Probation Department and other agencies
  4. Behavior and compliance during previous incarceration, probationary periods and parole
  5. Employment or student status
  6. Eligibility interview
  7. Ability to qualify for minimum security housing if incarcerated

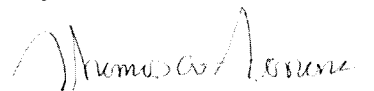
- C. Acceptance or denial shall not be based on sex, race, religion, disability, political beliefs, national origin or inability to pay program fees.
- D. Participation in the program may be denied for conviction or evidence of history of violent crime, predatory acts, gang involvement or cohabitation with the victim of the current offense.
- E. Offenders residing in another county may be eligible to participate in the program at the discretion of the Solano County Sheriff's Office.
- F. Offenders denied program participation may appeal the decision. The outcome of the appeal process is final.
- G. While participating in the program, offenders are required to meet behavioral standards outlined in the program rules. Rule violations may result in disciplinary action including, but not limited to, loss of work credits and removal from the program. Participants may appeal disciplinary action, and the outcome of the appeal process is final.
- H. Because the participant is considered an inmate of the Solano County Jail, the employer or instructor must agree to certain terms in order to allow the applicant to participate in the Work Furlough Program or Electronic Monitoring Program. Such terms include, but are not limited to, ensuring the participant follows program rules in the work place/class and good communication between supervisor or instructor and ATC staff for scheduling purposes.
- I. The Work Furlough Program and Electronic Monitoring Program require agreements to abide by transportation rules from third parties who will provide transportation to the participant to/from the housing facility or home and workplace or school.
- J. All adults cohabitating with the participant of the Electronic Monitoring Program must agree to certain terms in order to allow the applicant to participate. Such terms include, but are not limited to, an agreement by the cohabitant to abide by the participant's rules for the home and providing consent to search the residence, property, outbuildings and vehicles on the property.
- K. The victim of the crime for which the participant was convicted, who remains the cohabitant of the participant of the Electronic Monitoring Program, must agree to certain terms in order to allow the applicant to participate. Such terms include, but are not limited to, an agreement to hold the County harmless for incidents that may occur within the home, as those incidents are outside the control of the Sheriff's Office.

- L. Program fees, as established by the Board of Supervisors, shall be charged for all components of the ATC Program.
  - 1. Program applicants may request a reduction of fees in writing.
  - 2. Fee reduction, collection, and delinquent collections shall be accomplished by personnel assigned to the ATC program in coordination with Sheriff's Office fiscal personnel.
  - 3. A fee reduction hearing shall be held when the applicant appeals the established fee amount. The hearing will be conducted by a panel of personnel assigned to conduct hearings for a period of no less than one year. The panel members shall include:
    - a. The ATC lieutenant
    - b. The accounting supervisor
    - c. A custody sergeant not assigned to the ATC Program
    - d. Another fiscal employee, if available.
  - 4. The decision of the fee reduction hearing panel shall be final.

#### IV. PROGRAM ADMINISTRATION

- A. Pursuant to legal mandates, the written rules, regulations and administrative policy of the program shall be reviewed on an annual basis to ensure compliance with requirements.
- B. The program will consist of a custody sergeant and correctional officers sufficient to supervise program participants and clerical support sufficient to meet the needs of the program.
- C. Correctional officers and sergeants interested in assignment to the program shall submit a Memorandum of Interest used to identify viable candidates. Personnel are selected for this program by Custody Division management.

By order of



THOMAS A. FERRARA  
Sheriff-Coroner  
County of Solano